Workplace gazette

An Industrial Relations Quarterly

Fall
2002

Vol. 5, No. 3

- Older Workers in the Labour Market
- Transition to Retirement
- The National Joint Council — Canadian Federal Public Service

Human Resources Development Canada
Développement des ressources humaines Canada

Canada

Workplace Gazette

An Industrial Relations Quarterly

Issued by:

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Disponible en français

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Available in Canada through
your local bookseller
or by mail from

Canadian Government Publishing
Ottawa, Canada K1A 0S9

Catalogue No. L12-22E
ISSN 1480-6886

The content of this publication has been prepared by members of the Social Science Employees Association and the Public Service Alliance of Canada.

AT A GLANCE

The *Workplace Gazette* presents a wide range of information and analysis to meet the ever-changing needs of the industrial relations community. Its purpose is to provide a sound base for research in support of the bargaining process.

The *Workplace Gazette* includes information and analysis on wage adjustments, collective agreement provisions, innovative workplace practices, work stoppages, upcoming key negotiations and other related topics.

This issue includes the second quarter data for 2002 on wage adjustments in major collective agreements, both current and historical, by public and private sectors, by region, by jurisdiction and by major industry. Also included, is a listing of major settlements reached in the second quarter 2002, an overview of selected provisions featured in current collective agreements, as well as information on work stoppages for the second and first quarters of 2002. This issue reports recent data on union membership in Canada from the annual survey of labour organizations conducted by the Workplace Information Directorate.

Innovative practices in the workplace resulting from collective bargaining are summarized. Case studies include the development of a program designed to identify and prevent abuse in the workplace in general and on health care organizations more specifically.

A number of articles focus on an aging workforce and on collective agreement provisions dealing with transition to retirement. A historical overview of the development and future of labour-management consultation in the Canadian Public Service is provided.

Recent changes in Canadian Labour Laws focus on adopted bills, regulations and other statutory instruments. Yesterday and Today focusses on Union Membership.

The departmental library is featuring reading suggestions on mentoring.

Workplace Information

Information sur les milieux de travail

102-07583/

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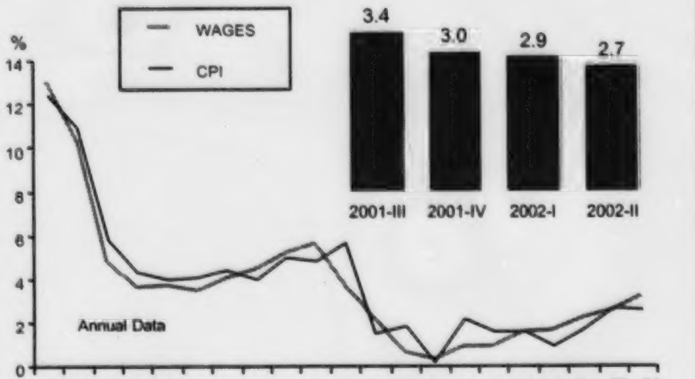
MAJOR WAGE SETTLEMENTS—SECOND QUARTER 2002*

Summary

- Base-rate wage increases for the **second quarter 2002** averaged **2.7 per cent**
- Wage adjustments in **public-sector** settlements averaged **2.7 per cent**. In the **private sector**, wage adjustments averaged **2.6 per cent**
- Alberta recorded the largest wage gains at 6.1 per cent. Newfoundland and Labrador recorded the second largest wage gains at 6.0 per cent
- By industry, the largest average wage adjustments were in the **manufacturing** sector at **3.1 per cent**

Chart A

Major Wage Settlements
Average Annual Percentage Adjustment in Base Rates



Source: Workplace Information Directorate

Overview

Major collective bargaining settlements reached in the **second quarter 2002** provided base-rate wage increases averaging **2.7 per cent** annually over the contract term. This is down slightly from the 2.9 per cent figure in the previous quarter, and lower than the 3.1 per cent average recorded for the year 2001 as a whole. The second quarter 2002 results are based on a review of 120 settlements reached in the period, with a coverage of 442,275 employees.

When the parties to the second-quarter settlements previously negotiated, contract duration averaged 44 months, and the resulting wage adjustments averaged 2.3 per cent compared to the 2.7 per cent in their current round of settlements and an average contract duration of 21.6 months.

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* Major settlements are those involving bargaining units of 500 or more employees. All wage rate adjustments over the term of these agreements, including those arising from cost-of-living clauses (COLA), are taken into account. The yield of such COLA clauses is estimated on an assumed 2.0 per cent annual increase in the Consumer Price Index.

Distribution by Size of Wage Adjustments

In the second quarter 2002, a large concentration of employees (75.6 per cent) received increases in the 2.0 to 2.9 per cent range. Approximately 11 per cent of all employees received increases in the 3.0 to 3.9 per cent range. Only 2.5 per cent of all employees received increases of 0.1 to 1.9 per cent, and 1.7 per cent of all employees were subject to a wage freeze and there were no wage reductions. A relatively small but still significant concentration of employees (9.2 per cent) received wage increases of 4.0 per cent and over.

Distribution of Agreements and Employees by Size of Wage Adjustments, Second Quarter 2002

	Agreements		Employees	
Adjustment Range	Number	Percentage	Number	Percentage
0% (No increase)	3	2.5	7,530	1.7
1.0% to 1.9%	7	5.8	11,240	2.5
2.0% to 2.9%	81	67.5	334,345	75.6
3.0% to 3.9%	15	12.5	48,270	10.9
4.0% to 4.9%	3	2.5	1,890	0.4
5.0% to 5.9%	5	4.2	10,550	2.4
6.0% to 6.9%	4	3.3	12,450	2.8
7.0% and over	2	1.7	16,000	3.6
ALL LEVELS	120	100.0	442,275	100.0

Note: Due to rounding, percentages may not always equal 100 per cent.

Source: Workplace Information Directorate

Public and Private Sectors

Wage adjustments in the second quarter 2002 were largely comprised of public sector settlements (82.5 per cent of agreements covering 90.1 per cent of employees). **Public-sector** wage adjustments for 398,665 employees in 99 settlements averaged **2.7 per cent,** down from 3.1 per cent in the previous quarter, and down from 3.2 per cent for the year 2001. A large number of these settlements (50) were in the Quebec public sector providing 256,350 employees with wage increases averaging 2.0 per cent. These Quebec public-sector settlements had a moderating influence on the average wage adjustment figures in the second quarter; excluding these agreements, the remaining public-sector settlements averaged wage increases of 3.8 per cent.

Private-sector wage increases for 43,610 employees in 21 agreements averaged **2.6 per cent,** up from 2.0 per cent in the previous quarter, but down from the average of 2.9 per cent for 2001. Quebec private-sector agreements, with increases averaging 3.3 per cent in the second quarter, led average private-sector wage adjustments. These results were influenced in part by the Bombardier Inc. agreement (at 3.4 per cent) covering 7,400 production employees.

Wage Adjustments by Region/Jurisdiction

On a provincial basis, the largest concentration of employees (60.2 per cent) and the largest number of settlements (45 per cent), were in Quebec; this was due to the large number of public service contracts settled in the province during this period. Wage increases in **Quebec** averaged **2.1 per cent**, which was the second lowest average wage increase after **British Columbia**, at **1.0 per cent**.

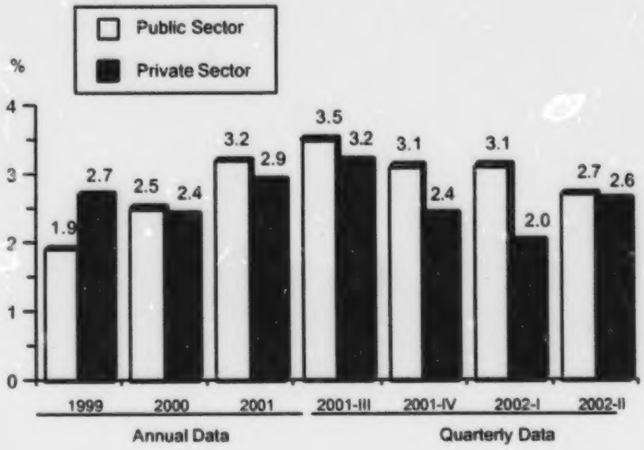
The largest average wage increase was in **Alberta** at **6.1 per cent**; on a regional basis, the **Prairie Provinces** averaged wage increases of **5.5 per cent**. The larger wage increases were due in large part to several education sector settlements in Alberta and a large nursing settlement in Manitoba.

The **Atlantic Provinces** second quarter 2002 wage figure was relatively large, with wage adjustments averaging **3.9 per cent;** this was due in large part to a **New foundland and Labrador** health sector agreement providing 5,000 nurses with wage increases averaging **7.8 per cent.**

In the **Federal jurisdiction**, wage increases averaged **2.9 per cent** for 18,455 employees in seven settlements; in **Ontario**, there were 28 agreements providing 77,540 employees with wage increases averaging **2.8 per cent**. There was a single **multiprovince** agreement providing 3,200 employees with wage gains averaging **3.0 per cent.**

Chart B

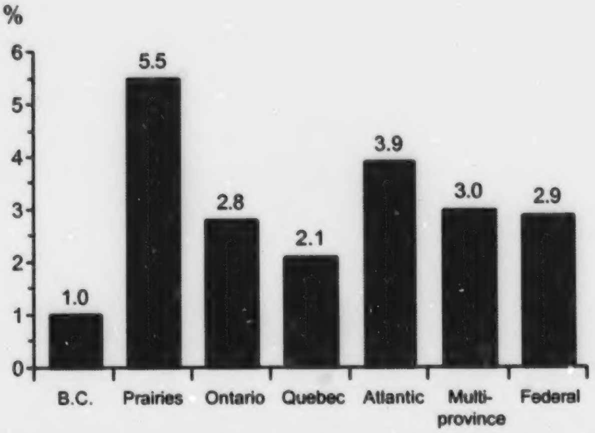
Major Wage Settlements by Public/Private Sectors Average Annual Percentage Adjustment in Base Rates



Source: Workplace Information Directorate

Chart C

Major Wage Settlements by Region/Jurisdiction Average Annual Percentage Adjustment in Base Rates



Source: Workplace Information Directorate

Wage Adjustments by Industry

On an industry basis, the largest concentration of employees was in the **education, health and social services** sector (with 60.6 per cent of all workers in second quarter settlements). In this sector, 268,010 employees in 76 agreements averaged increases of **2.8 per cent**.

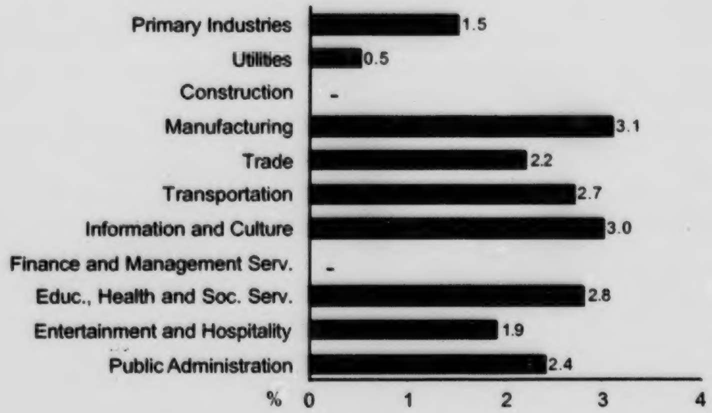
The second largest concentration of employees (25 per cent of all workers) was in **public administration**, with 110,660 employees in 15 agreements averaging increases of **2.4 per cent**.

The largest average wage increase was reported in the **manufacturing** sector at **3.1 per cent** (10 agreements covering 16,055 employees). The smallest increase was in the **utilities** sector with four agreements providing 5,630 employees with wage adjustments averaging **0.5 per cent**.

For all remaining industries, wage increases in ascending order of magnitude were the following: in the **information and culture** sector, three agreements provided 14,420 employees with wage increases averaging **3.0 per cent**. In the **transportation** sector, three settlements provided 10,800 workers with wage gains averaging **2.7 per cent**. In the **trade** sector, 12,050 employees in six agreements received wage increases averaging **2.2 per cent** and in the **entertainment and hospitality** sector, there were only two settlements providing 4,010 employees with wage gains averaging **1.9 per cent**. In **primary industries**, a single agreement (Bowater Forest Products) provided 640 employees with increases averaging **1.5 per cent**.

Chart D

Major Wage Settlements by Industry
Average Annual Percentage Adjustment in Base Rates



Source: Workplace Information Directorate

Wage Data for the Second Quarter 2002 for Small, Medium and Large Size Bargaining Units

Among the 158 collective bargaining settlements reached in the **second quarter 2002**, 38 settlements were in small bargaining units (between 100 and 499 employees), 74 were in medium bargaining units (500 to 1,999 employees), and 46 were in large bargaining units with 2,000 employees and over. During this period, the overall base-rate wage adjustment averaged 2.7 per cent, up slightly from 2.6 per cent in the first quarter 2002. The overall **public-sector** wage adjustment at **2.7 per cent** was higher than the figure of **2.5 per cent** reported for the **private sector**.

Small bargaining units reported an average increase of **2.6 per cent**, slightly higher than the 2.5 per cent reported for the first quarter of the year 2002 but maintaining the year-to-date average at 2.6 per cent. **Public-sector** settlements provided an average increase of **2.8 per cent**, compared to 2.5 and 2.6 per cent in previous quarters. **Private-sector** wage adjustments were lower at **2.4 per cent** compared to 2.5 and 2.4 per cent in previous quarters.

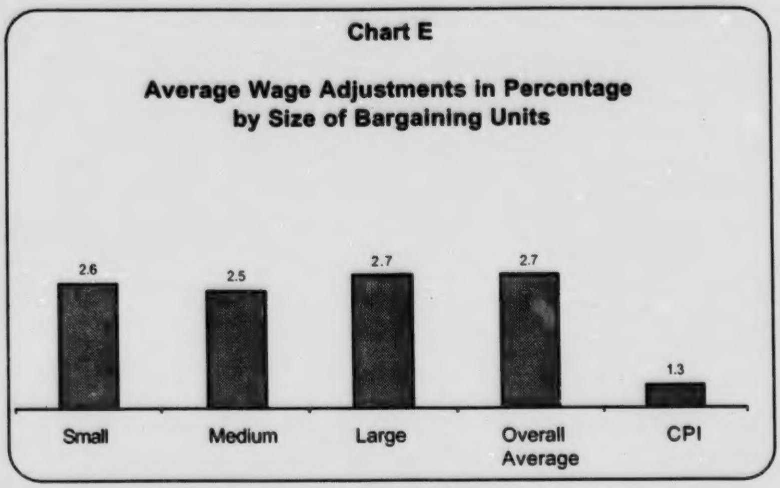


Chart E

Average Wage Adjustments in Percentage by Size of Bargaining Units

Source: *Workplace Information Directorate*

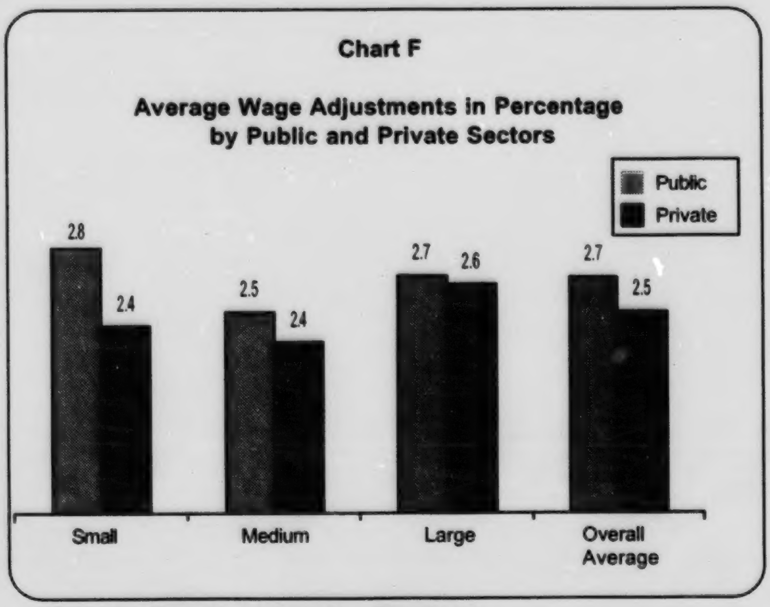


Chart F

Average Wage Adjustments in Percentage by Public and Private Sectors

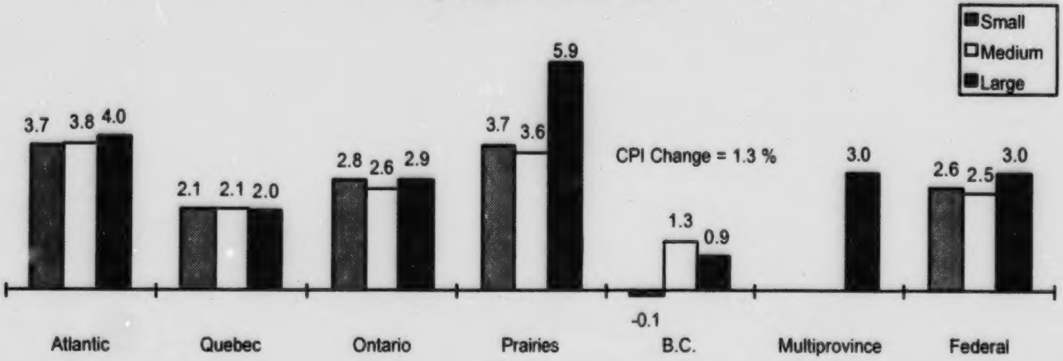
Source: *Workplace Information Directorate*

Medium bargaining units reported an average wage increase of **2.5 per cent** compared to 3.0 per cent in the first quarter, the lowest average adjustment since the first quarter 2000. **Public-sector** settlements resulted in an average increase of **2.5 per cent**, lower than the 3.0 per cent range for the three previous quarters, but slightly higher than the **private-sector** figure of **2.4 per cent**.

Large bargaining units reported an average wage increase of **2.7 per cent**, slightly lower than the 2.9 per cent figure for the first quarter and the lowest since the third quarter 2000. **Public-sector** average wage increases at **2.7 per cent** was lower than the previous six quarters, but remained slightly higher than the **private-sector** average wage adjustments of **2.6 per cent**.

Chart G

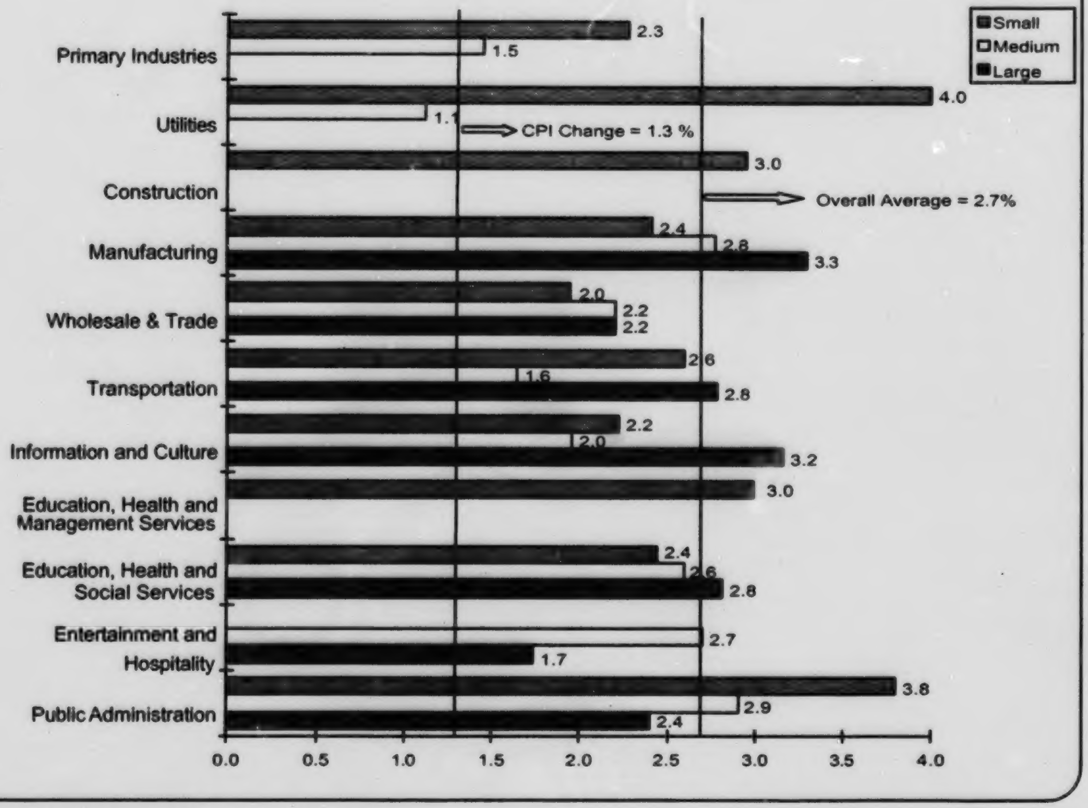
Average Wage Adjustment, by Size of Bargaining Units, by Region/Jurisdiction



Source: Workplace Information Directorate

Chart H

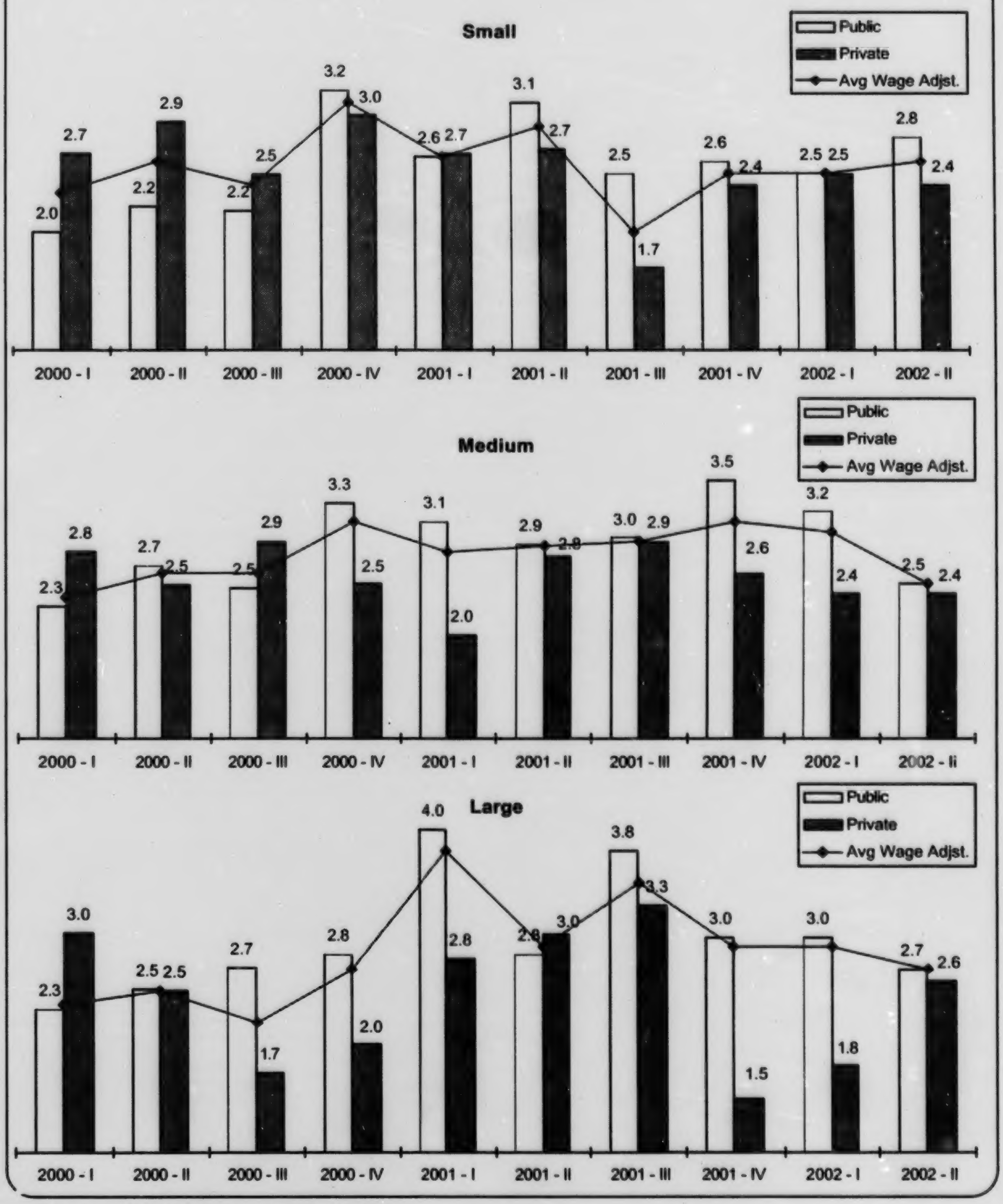
Average Wage Adjustment, by Size of Bargaining Units, by Industry



Source: Workplace Information Directorate

Chart I

Average Wage Adjustments by Public and Private Sectors, by Quarter



Source: Workplace Information Directorate

MAJOR SETTLEMENTS REACHED IN THE SECOND QUARTER 2002

Industry and Employer	No. of Employees	Average Annual Adjustment	First Year Adjustment	Duration (months)	Expiry Date YY-MM-DD
Primary Industries (1 agreement)	**640**	**1.5**	**0.0**	**48**	
Bowater Canadian Forest Products Inc., woods operators, Thunder Bay, Ont.	640	1.5	0.0	48	2005-08-31
Utilities (4 agreements)	**5,630**	**0.5**	**0.5**	**37.3**	
B.C. Gas Utility Ltd., office and clerical employees, province-wide, B.C.	620	2.3	1.5	54	2006-09-30
British Columbia Hydro and Power Authority, office and clerical employees, province-wide, B.C.	3,000	0.0	0.0	36	2005-03-31
British Columbia Hydro and Power Authority, utility workers, province-wide, B.C.	1,380	0.0	0.0	36	2005-03-31
Inergi L.P., administrative and support employees, province-wide, Ont.	630	2.4	3.0	30	2004-09-30
Manufacturing (10 agreements)	**16,055**	**3.1**	**2.9**	**40.2**	
Bombardier Inc. (Canadair), plant and maintenance employees, St-Laurent, Que.	7,400	3.4	3.3	48	2005-11-30
Connors Bros. Limited, plant and maintenance employees, Charlotte County, N.B.	1,000	2.0	1.0	36	2004-12-31
DDM Plastics Inc., service and maintenance employees, Tillsonburg, Ont.	500	4.2*	4.4	36	2005-07-31
Fishery Products International Limited, plant and maintenance employees, Bonavista, Nfld. and Labrador	2,500	3.0	3.0	12	2002-12-31
Frigidaire Canada, production employees, L'Assomption, Que.	1,000	3.1	3.2	48	2006-03-17
Olymel Société en Commandite, production, Magog, Que.	540	3.6	4.3	60	2007-04-30
PPG Canada Inc. (Duplate Division), plant and maintenance employees, Oshawa, Ont.	840	2.4*	1.4	36	2005-03-31
Quebec Fashion Apparel Manufacturers' Guild, production employees, province-wide, Que.	1,100	3.0	3.4	48	2006-05-31
Royal Canadian Mint, production employees, Ottawa, Ont.	505	2.0	2.0	36	2004-12-31
Siemens Westinghouse Inc., plant and maintenance employees, Hamilton, Ont.	670	2.4*	1.2	36	2005-04-22
Wholesale and Retail Trade (6 agreements)	**12,050**	**2.2**	**2.6**	**39.7**	
Canada Safeway Limited, retail employees, province-wide, Man.	3,150	0.0	0.0	24	2003-11-09
Fenwick Automotive Products, production employees, Toronto, Ont.	800	3.6	3.5	36	2005-02-28
Liquor Control Board of Ontario, office and clerical employees, province-wide, Ont.	4,600	3.7	4.0	36	2005-03-31
Real Canadian Superstores, retail employees, province-wide, Sask.	1,750	1.6	3.5	83	2008-04-08
Saskatchewan Liquor and Gaming Authority, office and clerical employees, province-wide, Sask.	900	2.6	2.7	36	2004-03-31
Sav-A-Centre, Div. of The Great Atlantic & Pacific Co. of Canada, retail employees, Cobourg, Ont.	850	1.9	1.9	36	2004-10-10
Transportation (3 agreements)	**10,800**	**2.7**	**2.5**	**36**	
Air Canada Jazz, customer service, system-wide	1,200	1.6	0.0	36	2005-06-30
Canadian National Railway Co., locomotive engineers, system-wide	2,000	2.0	2.0	36	2003-12-31
Toronto Transit Commission, bus drivers, Toronto, Ont.	7,600	3.0	3.0	36	2005-04-01

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* Agreement with cost-of-living allowances (COLA) calculated at a projected 2.0 per cent inflation rate.

Industry and Employer	No. of Employees	Average Annual Adjustment	First Year Adjustment	Duration (months)	Expiry Date YY-MM-DD
Information and Culture (3 agreements)	**14,420**	**3.0**	**3.2**	**35.7**	
Bell Canada, office and clerical employees, province-wide	12,140	3.2	3.5	36	2005-05-31
Canadian Broadcasting Corporation, broadcast and TV employees, province-wide	1,380	2.2	2.0	33	2004-03-28
Toronto Star Newspapers Limited, print media employees, Toronto, Ont.	900	1.6*	1.7	36	2004-12-31
Education, Health and Social Services (76 agreements)	**268,010**	**2.8**	**3.2**	**16.2**	
Bluewater District School Board, elementary teachers, Chesley, Ont.	780	2.7	2.7	12	2002-08-30
Bluewater District School Board, secondary teachers, Chesley, Ont.	550	2.2	2.2	12	2002-08-31
Board of Trustees of Edmonton School District No. 7, elementary and secondary teachers, Edmonton, Alta.	4,780	6.8	10.2	24	2003-08-31
Board of Trustees of the Calgary Board of Education, elementary and secondary teachers, Calgary, Alta.	5,940	6.8	10.2	24	2003-08-31
Board of Trustees of the Rocky View School Division No. 41, elementary and secondary teachers, Rocky View, Alta.	780	6.8	10.2	24	2003-08-31
Comité patronal de négociation des collèges, educational services, province-wide, Que.	900	2.0	2.0	12	2003-06-30
Comité patronal de négociation des collèges, post-secondary, non university teachers, province-wide, Que.	1,260	2.0	2.0	12	2003-06-30
Comité patronal de négociation des collèges, support employees, province-wide, Que.	3,070	2.0	2.0	12	2003-06-30
Comité patronal de négociation des collèges, support employees, province-wide, Que.	580	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, health and social care professionals, province-wide, Que.	950	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, health and social care professionals, province-wide, Que.	4,200	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, health and social care professionals, province-wide, Que.	11,690	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, health and social care professionals, province-wide, Que.	990	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, health service-non-professionals, province-wide, Que.	1,200	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, non-medical employees, province-wide, Que.	2,890	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, nurses, province-wide, Que.	620	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, nurses, province-wide, Que.	1,770	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, nurses, province-wide, Que.	1,060	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	1,070	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	4,560	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	930	2.0	2.0	12	2003-06-30

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* Agreement with cost-of-living allowances (COLA) calculated at a projected 2.0 per cent inflation rate.

Industry and Employer	No. of Employees	Average Annual Adjustment	First Year Adjustment	Duration (months)	Expiry Date YY-MM-DD
Education, Health and Social Services (continued)					
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	1,400	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	1,180	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	27,770	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	3,180	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	9,160	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	3,650	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	2,320	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	3,650	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	700	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	4,170	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	840	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	2,160	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	1,510	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	500	2.0	2.0	12	2003-06-30
Comité patronal de négociation secteur santé et services sociaux, office and clerical employees, province-wide, Que.	770	2.0	2.0	12	2003-06-30
Conseil scolaire du district catholique de l'Est Ontarien, elementary teachers, L'Orignal, Ont.	630	2.2	2.5	36	2004-08-31
Elk Island Public Schools Regional Division No. 14, elementary and secondary teachers, Elk Island, Alta.	950	6.8	10.2	24	2003-08-31
Fort Garry School Division No. 5, elementary and secondary teachers, Fort Garry, Man.	520	3.0	3.0	24	2002-06-30
Government of New Brunswick, general trades province-wide, N.B.	2,400	2.5	4.0	48	2005-03-31
Government of Newfoundland and Labrador, office and clerical employees, province-wide, Nfld. and Labrador	870	5.0	5.0	36	2004-03-31
Government of Newfoundland and Labrador/Health Boards Association, nurses, province-wide, Nfld. and Labrador	5,000	7.8	13.4	36	2004-06-30
Government of Newfoundland and Labrador and College of North Atlantic, Instructors/Tutors/Lecturers, province-wide, Nfld. and Labrador	820	5.0	5.0	36	2004-08-31
Government of P.E.I. - Education Negotiating Agency, office and clerical employees, province-wide, P.E.I.	620	3.2	3.5	36	2005-06-30
Government of Quebec, post-secondary, non university teachers, province-wide, Que.	600	2.0	2.0	12	2003-06-30

Industry and Employer	No. of Employees	Average Annual Adjustment	First Year Adjustment	Duration (months)	Expiry Date YY-MM-DD
Education, Health and Social Services (continued)					
Grand Erie District School Board, elementary teachers, Brantford, Ont.	1,030	2.8	2.8	12	2002-08-31
Greater Essex County District School Board, elementary teachers, Windsor, Ont.	1,350	2.0	2.0	12	2002-08-31
Management Negotiating Committee for English-Language School Board, elementary and secondary teachers, province-wide, Que.	8,390	2.0	2.0	12	2003-06-30
Management Negotiating Committee for English-Language School Board, support employees, province-wide, Que.	1,000	2.0	2.0	12	2003-06-30
Management Negotiating Committee for English-Language School Board, support employees, province-wide, Que.	590	2.0	2.0	12	2003-06-30
Management Negotiating Committee for English-Language School Board, support employees, province-wide, Que.	1,180	2.0	2.0	12	2003-06-30
Management Negotiating Committee for English-Language School Board, support employees, province-wide, Que.	1,550	2.0	2.0	12	2003-06-30
Management Negotiating Committee for English-Language School Board, support employees, province-wide, Que.	810	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, elementary and secondary teachers, province-wide, Que.	63,330	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, scientific and other professionals, province-wide, Que.	3,690	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, support employees, province-wide, Que.	1,520	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, support employees, province-wide, Que.	10,030	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, support employees, province-wide, Que.	6,420	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, support employees, province-wide, Que.	4,110	2.0	2.0	12	2003-06-30
Management Negotiating Committee for French-Language School Boards, support employees, province-wide, Que.	1,320	2.0	2.0	12	2003-06-30
Nova Scotia Association of Health Organizations, health and social care professionals, province-wide, N.S.	2,800	2.5	2.0	36	2004-03-31
Ontario Hospital Association, health professional employees, province-wide, Ont.	1,600	2.8	2.5	36	2004-10-10
Ottawa-Carleton Catholic District School Board, office and clerical employees, Nepean, Ont.	550	5.7	9.5	24	2003-08-31
Ottawa-Carleton District School Board, teaching assistants, Nepean, Ont.	610	2.0	2.0	36	2004-08-31
Peel District School Board, office and clerical employees, Mississauga, Ont.	650	2.8	3.1	26	2002-08-31
Queen's University, professors, Kingston, Ont.	860	2.6	2.7	24	2004-04-30
Regional Health Authorities of Manitoba, nurses, province-wide, Man.	11,000	8.2	7.6	30	2004-09-30
St. James-Assiniboia School Division No. 2, elementary and secondary teachers, St. James-Assiniboia, Man.	650	3.0	3.0	24	2002-06-30
Saskatchewan Association of Health Organizations, nurses, province-wide, Sask.	7,780	5.6	11.0	36	2005-03-31
Southern Alberta Institute of Technology, Instructors/Tutors/Lecturers, Calgary, Alta.	720	4.5	5.0	24	2004-06-30
Toronto Catholic District School Board, educational services, Toronto, Ont.	840	2.5	3.0	24	2003-08-31
University of Ottawa, professors, Ottawa, Ont.	860	2.0*	2.0	36	2004-04-30

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* Agreement with cost-of-living allowances (COLA) calculated at a projected 2.0 per cent inflation rate.

Industry and Employer	No. of Employees	Average Annual Adjustment	First Year Adjustment	Duration (months)	Expiry Date YY-MM-DD
Education, Health and Social Services (continued)					
Waterloo Region District School Board, elementary teachers, Kitchener, Ont.	2,050	2.4	2.4	12	2002-08-31
Windsor-Essex Catholic District School Board, secondary teachers, Windsor, Ont.	580	2.6	2.8	24	2004-08-31
Winnipeg School Division No. 1, elementary and secondary teachers, Winnipeg, Man.	2,900	3.0	3.0	36	2003-06-30
Winnipeg School Division No. 1, office and clerical employees, Winnipeg, Man.	1,300	2.5	2.5	48	2005-07-01
Entertainment and Hospitality (2 agreements)	**4,010**	**1.9**	**1.2**	**46.5**	
Hospitality Industrial Relations, hotel or restaurant employees, province-wide, B.C.	3,500	1.7	1.0	48	2006-05-31
KFC Canada (B.C. Division), food service employees, province-wide, B.C.	510	2.7	2.0	36	2004-06-30
Public Administration (15 agreements)	**110,660**	**2.4**	**2.6**	**25**	
Canadian Food Inspection Agency, scientific and other professionals, Canada-wide	700	2.8	3.2	36	2003-09-30
Canadian Food Inspection Agency, veterinarians, Canada-wide	530	5.4	7.2	36	2003-09-30
City of Calgary, inside employees, Calgary, Alta.	2,700	3.5	3.5	12	2002-12-29
City of Kamloops, inside employees, Kamloops, B.C.	550	2.0	2.0	48	2005-12-31
City of Ottawa, recreational employees, Ottawa, Ont.	2,400	1.7	0.0	36	2003-12-31
Emploi Québec, office and clerical employees, province-wide, Que.	970	2.0	2.0	12	2003-06-30
Government of Northwest Territories, office and technicians employees, territory-wide, N.W.T.	3,200	3.0	3.0	36	2005-03-31
Government of Nova Scotia (Master), administrative services employees, province-wide, N.S.	5,300	2.2	2.0	48	2004-03-31
Government of Ontario, correctional officers, province-wide, Ont.	5,500	2.8	3.5	36	2004-12-31
Government of Ontario, all categories, province-wide, Ont.	38,000	2.8	3.5	36	2004-12-31
Government of Quebec, engineers, province-wide, Que.	1,100	2.0	2.0	12	2003-06-30
Government of Quebec, hourly-rated employees, province-wide, Que.	3,100	2.0	2.0	12	2003-06-30
Government of Quebec, salaried employees, province-wide, Que.	33,750	2.0	2.0	12	2003-06-30
Government of Quebec, scientific and other professionals, province-wide, Que.	12,190	2.0	2.0	12	2003-06-30
Ottawa Public Library, librarians, Ottawa, Ont.	670	4.6	0.0	36	2003-12-31
Agreements with COLA (5 agreements)	**3,770**	**2.4***	**2.0**	**36**	
Agreements without COLA (115 agreements)	**438,505**	**2.7**	**3.0**	**21.5**	
All Agreements (120 agreements)	**442,275**	**2.7**	**3.0**	**21.6**	

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* Agreement with cost-of-living allowances (COLA) calculated at a projected 2.0 per cent inflation rate.

Source: Workplace Information Directorate

A list of settlements of small bargaining units (less than 500 employees) is available on the Workplace Information Directorate Web site at:

http://labour-travail.hrdc-drhc.gc.ca/doc/wid-dimt/eng

The Collective Bargaining Bulletin, a monthly publication, contains a list of summaries of the major settlements shown on previous pages.

Copies of these settlement summaries, available in English and French, can be obtained by visiting NEGOTECH at <http://206.191.16.138/gol/>. These summaries are also available from the Workplace Information Directorate at 1-800-567-6866 or Client Services at (819) 997-3117 or via E-Mail: wid-imt@hrdc-drhc.gc.ca

Calendars of Collective Agreements Expiries and Reopeners

Coming soon, the 2003 Calendar listings for
MAJOR and SMALL Bargaining Units

2002 Calendar of Major Bargaining Units is available on the Workplace Information Directorate Web site at

http://labour.hrdc-drhc.gc.ca/doc/wid-dimt/eng/expreo.cfm

Table 1

Major Wage Settlements, by Public and Private Sectors, by Year and Quarter

		Public Sector				Private Sector				All Sectors			
		Agmts.	Dur.	Empls.	Avg. Adj.	Agmts.	Dur.	Empls.	Avg. Adj.	Agmts.	Dur.	Empls.	Avg. Adj.
			(Months)	(000's)	(%)		(Months)	(000's)	(%)		(Months)	(000's)	(%)
Year													
1982		319	14.6	865.1	10.4	189	25.2	282.2	9.5	508	17.2	1,147.3	10.2
1983		458	19.6	1,241.6	4.6	200	25.0	302.8	5.5	658	20.6	1,544.3	4.8
1984		276	17.0	635.2	3.9	283	26.1	521.0	3.2	559	21.1	1,156.2	3.6
1985		316	21.7	566.8	3.8	200	30.1	271.8	3.3	516	24.5	838.6	3.7
1986		321	25.3	709.2	3.6	232	26.0	412.2	3.0	553	25.6	1,121.5	3.4
1987		270	29.4	824.3	4.1	208	31.4	287.0	3.8	478	29.9	1,111.3	4.0
1988		301	24.0	698.6	4.0	241	27.2	484.1	5.0	542	25.3	1,182.7	4.4
1989		294	30.0	736.0	5.2	159	28.6	265.8	5.2	453	29.6	1,001.8	5.2
1990		283	27.4	677.8	5.6	224	29.7	468.5	5.7	507	28.4	1,146.4	5.6
1991		365	16.0	1,121.7	3.4	182	29.2	224.0	4.4	547	18.2	1,345.6	3.6
1992		301	21.7	975.9	2.0	195	32.2	330.9	2.6	496	24.3	1,306.8	2.1
1993		347	23.4	1,012.0	0.6	171	25.2	400.5	0.8	518	23.9	1,412.5	0.7
1994		299	26.5	719.8	-0.0	135	34.5	222.8	1.2	434	28.4	942.6	0.3
1995		215	31.5	629.6	0.6	186	35.9	278.4	1.4	401	32.8	908.0	0.9
1996		212	31.7	564.3	0.5	166	34.7	246.1	1.7	378	32.6	810.4	0.9
1997		220	30.3	370.3	1.1	159	38.1	321.9	1.8	379	33.9	692.2	1.5
1998		221	31.1	646.3	1.6	182	34.5	274.2	1.9	403	32.1	920.5	1.7
1999		219	35.0	510.6	1.9	158	38.4	314.3	2.7	377	36.3	824.9	2.2
2000		302	33.6	917.5	2.5	103	42.1	163.3	2.4	405	34.9	1,080.8	2.5
2001		258	31.6	690.4	3.2	156	36.1	286.1	2.9	414	33.0	976.5	3.1
2002	*	142	24.1	573.1	2.8	36	39.4	72.9	2.3	178	25.9	646.0	2.7
* Year to Date													
Quarter													
1999	**I**	79	32.5	192.9	1.3	30	38.1	55.7	2.2	109	33.7	248.6	1.5
	II	72	37.4	208.5	2.4	54	40.8	64.0	2.5	126	38.2	272.4	2.4
	III	33	36.9	50.0	2.3	42	37.3	127.1	2.4	75	37.2	177.1	2.4
	IV	35	33.3	59.3	2.1	32	38.3	67.5	3.9	67	36.0	126.7	3.1
2000	**I**	122	39.9	497.4	2.3	30	30.5	39.2	2.9	152	39.2	536.6	2.4
	II	58	21.3	208.4	2.5	29	41.1	34.3	2.5	87	24.1	242.7	2.5
	III	44	33.5	79.6	2.6	20	52.2	58.8	1.9	64	41.4	138.4	2.3
	IV	78	29.3	132.0	3.0	24	38.6	31.0	2.3	102	31.1	163.1	2.9
2001	**I**	59	29.7	144.3	3.8	20	35.9	34.1	2.5	79	30.8	178.4	3.5
	II	88	29.9	200.8	2.8	68	35.6	110.5	2.9	156	31.9	311.3	2.9
	III	58	31.2	129.0	3.5	38	35.7	111.6	3.2	96	33.3	240.6	3.4
	IV	53	34.9	216.3	3.1	30	40.0	29.9	2.4	83	35.5	246.2	3.0
2002	**I**	43	34.5	174.4	3.1	15	38.5	29.3	2.0	58	35.1	203.7	2.9
	II	99	19.6	398.7	2.7	21	39.9	43.6	2.6	120	21.6	442.3	2.7
	III	-	-	-	-	-	-	-	-	-	-	-	-
	IV	-	-	-	-	-	-	-	-	-	-	-	-

Agmts. - Number of Agreements
Dur. - Average Agreement Duration
Empls. - Number of Employees
Avg. Adj. - Average Annual Adjustment (%)

Table 2

Effective Wage Adjustment in Base Rates, by Region/Jurisdiction, by Year and Quarter

	1999	2000	2001	2001		2002	
				3	4	1	2
	(%)	(%)	(%)	(%)	(%)	(%)	(%)
All Sectors							
CANADA	2.2	2.5	3.1	3.4	3.0	2.9	2.7
Atlantic	2.0	2.6	3.9	4.2	3.6	5.7	3.9
Newfoundland and Labrador	1.6	3.3	5.0	5.0	5.1	7.5	6.0
Prince Edward Island	2.7	2.2	3.1	3.1	3.3	-	3.2
Nova Scotia	2.1	2.2	3.7	4.5	3.7	2.5	2.3
New Brunswick	2.4	2.8	3.4	3.3	3.6	3.1	2.3
Quebec	1.6	2.4	2.8	2.8	3.4	2.3	2.1
Ontario	2.2	2.6	2.9	2.9	2.6	2.7	2.8
Prairies	3.0	3.8	4.2	4.1	3.6	3.8	5.5
Manitoba	2.5	2.6	2.4	2.4	3.0	2.8	5.4
Saskatchewan	2.0	3.5	2.9	2.8	3.0	3.6	4.7
Alberta	4.0	4.5	5.1	5.1	4.4	6.8	6.1
British Columbia	0.8	1.6	2.7	4.0	2.3	2.5	1.0
Territories	1.9	2.9	3.1	-	-	-	3.0
Multiprovince	2.8	2.4	3.1	3.1	4.0	-	-
Federal	2.8	2.2	3.0	3.6	2.8	2.8	2.9
Public Sector							
CANADA	1.9	2.5	3.2	3.5	3.1	3.1	2.7
Atlantic	1.8	2.9	4.0	4.2	3.7	5.7	4.2
Newfoundland and Labrador	1.3	5.3	5.0	5.0	5.1	7.5	7.1
Prince Edward Island	2.9	2.2	3.1	3.1	3.3	-	3.2
Nova Scotia	2.3	2.2	3.8	4.5	-	2.5	2.3
New Brunswick	3.1	3.5	3.5	3.3	3.7	3.1	2.5
Quebec	1.7	2.3	2.7	2.0	5.0	2.1	2.0
Ontario	1.5	2.7	3.1	2.9	2.7	2.9	2.8
Prairies	2.9	3.8	4.1	3.0	3.7	4.2	6.1
Manitoba	2.4	2.5	2.4	2.2	3.0	3.1	6.4
Saskatchewan	2.2	3.6	2.9	2.8	3.0	4.2	5.3
Alberta	3.8	4.5	4.9	3.6	4.4	6.8	6.1
British Columbia	0.7	1.3	2.7	4.1	2.5	2.5	0.2
Territories	1.9	2.9	3.1	-	-	-	3.0
Multiprovince	-	-	-	-	-	-	-
Federal	2.8	2.2	3.1	4.0	2.8	2.9	2.9
Private Sector							
CANADA	2.7	2.4	2.9	3.2	2.4	2.0	2.6
Atlantic	2.2	1.7	3.3	-	3.5	-	2.7
Newfoundland and Labrador	2.3	2.0	-	-	-	-	3.0
Prince Edward Island	2.3	-	-	-	-	-	-
Nova Scotia	1.9	1.7	3.3	-	3.7	-	-
New Brunswick	2.3	1.4	3.0	-	3.0	-	2.0
Quebec	1.6	3.2	2.8	2.9	2.2	2.4	3.3
Ontario	3.6	2.3	2.7	2.9	2.1	1.9	2.4
Prairies	3.8	3.9	4.8	6.0	2.5	1.5	0.6
Manitoba	3.1	3.3	2.5	2.7	-	1.3	0.0
Saskatchewan	0.8	2.0	2.9	-	2.9	1.6	1.6
Alberta	5.0	5.0	5.5	6.3	1.6	-	-
British Columbia	1.3	2.0	1.7	2.3	1.5	-	1.9
Territories	-	-	-	-	-	-	-
Multiprovince	2.8	2.4	3.1	3.1	4.0	-	-
Federal	2.8	2.2	2.6	2.8	2.3	2.1	2.9

Table 3

Number of Agreements and Employees Covered, by Region/Jurisdiction, by Year and Quarter

	1999		2000		2001	
	Number of Agreements	Number of Employees (000's)	Number of Agreements	Number of Employees (000's)	Number of Agreements	Number of Employees (000's)
All Sectors						
CANADA	377	824.9	405	1,080.8	414	976.5
Atlantic	22	20.0	19	28.5	33	62.9
Newfoundland and Labrador	8	9.7	4	5.0	7	16.1
Prince Edward Island	3	2.2	2	1.3	5	6.7
Nova Scotia	6	3.9	4	11.7	15	19.4
New Brunswick	5	4.3	9	10.4	6	20.6
Quebec	38	113.1	96	345.9	39	108.4
Ontario	176	320.1	149	286.4	177	305.0
Prairies	68	141.4	62	109.3	76	147.8
Manitoba	18	38.7	20	29.7	16	12.8
Saskatchewan	14	41.1	4	14.3	14	41.9
Alberta	36	61.6	38	65.2	46	93.1
British Columbia	25	71.9	38	67.7	33	165.6
Territories	2	4.6	3	5.6	2	2.0
Multiprovince	3	2.2	3	2.8	8	13.9
Federal	43	151.6	35	234.7	46	171.0
Public Sector						
CANADA	219	510.6	302	917.5	258	690.4
Atlantic	10	10.7	10	20.6	25	55.5
Newfoundland and Labrador	4	6.6	3	2.0	7	16.1
Prince Edward Island	2	1.5	2	1.3	5	6.7
Nova Scotia	3	2.1	2	10.6	8	13.3
New Brunswick	1	0.6	3	6.7	5	19.4
Quebec	12	25.8	76	322.0	18	25.8
Ontario	117	216.0	104	212.1	108	187.0
Prairies	48	119.3	58	106.0	55	118.1
Manitoba	13	34.2	19	28.6	9	7.2
Saskatchewan	10	36.7	3	13.8	12	40.6
Alberta	25	48.5	36	63.7	34	70.3
British Columbia	13	57.6	29	41.6	24	157.6
Territories	2	4.6	3	5.6	2	2.0
Multiprovince	-	-	-	-	-	-
Federal	17	76.5	22	209.5	26	144.4
Private Sector						
CANADA	158	314.3	103	163.3	156	286.1
Atlantic	12	9.3	9	7.8	8	7.3
Newfoundland and Labrador	4	3.1	1	3.0	-	-
Prince Edward Island	1	0.7	-	-	-	-
Nova Scotia	3	1.8	2	1.1	7	6.1
New Brunswick	4	3.7	6	3.7	1	1.2
Quebec	26	87.3	20	23.8	21	82.6
Ontario	59	104.1	45	74.3	69	118.0
Prairies	20	22.1	4	3.2	21	29.7
Manitoba	5	4.6	1	1.1	7	5.7
Saskatchewan	4	4.4	1	0.6	2	1.2
Alberta	11	13.1	2	1.5	12	22.8
British Columbia	12	14.3	9	26.0	9	7.9
Territories	-	-	-	-	-	-
Multiprovince	3	2.2	3	2.8	8	13.9
Federal	26	75.1	13	25.2	20	26.6

Table 3 (continued)

Number of Agreements and Employees Covered, by Region/Jurisdiction, by Year and Quarter

	2001				2002			
	3		4		1		2	
	Number of Agreements	Number of Employees	Number of Agreements	Number of Employees	Number of Agreements	Number of Employees	Number of Agreements	Number of Employees
		(000's)		(000's)		(000's)		(000's)
All Sectors								
CANADA	96	240.6	83	246.2	58	203.7	120	442.3
Atlantic	10	20.7	9	15.9	4	13.0	9	21.3
Newfoundland and Labrador	2	4.9	1	0.7	1	8.0	4	9.2
Prince Edward Island	3	3.9	1	2.3	-	-	1	0.6
Nova Scotia	4	9.4	4	3.5	2	1.7	2	8.1
New Brunswick	1	2.5	3	9.4	1	3.3	2	3.4
Quebec	13	78.4	8	8.4	8	10.8	54	266.4
Ontario	38	46.0	22	52.6	20	77.2	28	77.5
Prairies	17	36.2	22	50.3	14	13.5	15	45.8
Manitoba	4	2.3	2	1.8	7	6.9	6	19.5
Saskatchewan	5	13.9	5	24.3	3	4.1	3	10.4
Alberta	8	20.0	15	24.3	4	2.5	6	15.9
British Columbia	9	46.3	5	10.4	4	47.6	6	9.6
Territories	-	-	-	-	-	-	1	3.2
Multiprovince	2	5.1	1	0.9	-	-	-	-
Federal	7	7.9	16	107.6	8	41.5	7	18.5
Public Sector								
CANADA	58	129.0	53	216.3	43	174.4	99	398.7
Atlantic	10	20.7	4	11.2	4	13.0	7	17.8
Newfoundland and Labrador	2	4.9	1	0.7	1	8.0	3	6.7
Prince Edward Island	3	3.9	1	2.3	-	-	1	0.6
Nova Scotia	4	9.4	-	-	2	1.7	2	8.1
New Brunswick	1	2.5	2	8.2	1	3.3	1	2.4
Quebec	6	11.1	3	3.6	4	4.2	50	256.4
Ontario	21	23.8	14	43.7	14	61.2	21	72.3
Prairies	11	23.8	19	48.5	12	11.5	13	40.9
Manitoba	2	1.2	2	1.8	6	5.8	5	16.4
Saskatchewan	5	13.9	3	23.1	2	3.2	2	8.7
Alberta	4	8.7	14	23.7	4	2.5	6	15.9
British Columbia	6	44.1	2	7.4	4	47.6	3	4.9
Territories	-	-	-	-	-	-	1	3.2
Multiprovince	-	-	-	-	-	-	-	-
Federal	4	5.4	11	101.9	5	37.0	4	3.1
Private Sector								
CANADA	38	111.6	30	29.9	15	29.3	21	43.6
Atlantic	-	-	5	4.7	-	-	2	3.5
Newfoundland and Labrador	-	-	-	-	-	-	1	2.5
Prince Edward Island	-	-	-	-	-	-	-	-
Nova Scotia	-	-	4	3.5	-	-	-	-
New Brunswick	-	-	1	1.2	-	-	1	1.0
Quebec	7	67.3	5	4.9	4	6.7	4	10.0
Ontario	17	22.2	8	8.9	6	16.0	7	5.2
Prairies	6	12.4	3	1.8	2	2.1	2	4.9
Manitoba	2	1.1	-	-	1	1.1	1	3.2
Saskatchewan	-	-	2	1.2	1	1.0	1	1.8
Alberta	4	11.3	1	0.6	-	-	-	-
British Columbia	3	2.1	3	3.0	-	-	3	4.6
Territories	-	-	-	-	-	-	-	-
Multiprovince	2	5.1	1	0.9	-	-	-	-
Federal	3	2.5	5	5.7	3	4.6	3	15.3

Table 4

Effective Wage Adjustment in Base Rates, by Major Industry Division, with and without COLA, by year and Quarter

		Non-COLA Agreements				COLA Agreements				All Agreements			
		Agmts.	Dur.	Empls.	Avg. Adj.	Agmts.	Dur.	Empls.	Avg. Adj.	Agmts.	Dur.	Empls.	Avg. Adj.
			(Months)	(000's)	(%)		(Months)	(000's)	(%)		(Months)	(000's)	(%)
Primary Industries													
1999		4	47.8	2.9	1.8	4	45.2	3.8	2.6	8	46.3	6.7	2.3
2000		1	40.0	0.5	2.0	3	36.0	4.9	1.8	4	36.4	5.5	1.8
2001		4	40.9	3.3	3.1	2	45.5	3.1	1.9	6	43.1	6.4	2.5
2001	**III**	1	60.0	0.7	2.4	-	-	-	-	1	60.0	0.7	2.4
	IV	2	36.0	1.2	2.3	-	-	-	-	2	36.0	1.2	2.3
2002	**I**	-	-	-	-	-	-	-	-	-	-	-	-
	II	1	48.0	0.6	1.5	-	-	-	-	1	48.0	0.6	1.5
Utilities													
1999		14	50.8	30.1	1.8	2	24.0	1.6	2.4	16	49.5	31.7	1.8
2000		14	24.5	25.1	3.5	-	-	-	-	14	24.5	25.1	3.5
2001		10	26.4	12.5	2.6	4	47.0	9.8	2.3	14	35.5	22.3	2.5
2001	**III**	2	29.9	1.3	2.4	-	-	-	-	2	29.9	1.3	2.4
	IV	3	28.3	2.7	2.7	2	51.0	8.3	2.3	5	45.5	11.0	2.4
2002	**I**	3	19.1	6.1	3.3	-	-	-	-	3	19.1	6.1	3.3
	II	4	37.3	5.6	0.5	-	-	-	-	4	37.3	5.6	0.5
Construction													
1999		21	36.1	97.8	2.0	-	-	-	-	21	36.1	97.8	2.0
2000		7	25.2	8.9	3.6	1	48.0	0.5	2.7	8	26.4	9.4	3.6
2001		58	34.6	186.7	3.2	3	60.0	2.5	3.5	61	35.0	189.2	3.2
2001	**III**	21	34.5	98.4	3.3	-	-	-	-	21	34.5	98.4	3.3
	IV	3	31.0	2.9	3.3	3	60.0	2.5	3.5	6	44.4	5.4	3.4
2002	**I**	-	-	-	-	-	-	-	-	-	-	-	-
	II	-	-	-	-	-	-	-	-	-	-	-	-
Manufacturing													
1999		43	52.8	30.8	1.8	31	35.5	72.8	4.4	74	40.6	103.6	3.6
2000		36	33.5	47.4	2.2	17	35.8	21.7	3.3	53	34.2	69.0	2.6
2001		20	45.0	16.5	2.3	27	36.2	26.3	2.5	47	39.6	42.8	2.4
2001	**III**	3	50.2	2.0	2.0	4	38.4	4.0	3.0	7	42.3	6.0	2.6
	IV	5	59.9	3.3	2.6	7	36.1	9.6	1.9	12	42.1	12.9	2.1
2002	**I**	6	36.6	9.5	2.7	-	-	-	-	6	36.6	9.5	2.7
	II	7	40.8	14.0	3.1	3	36.0	2.0	2.9	10	40.2	16.1	3.1
Wholesale and Retail Trade													
1999		9	31.0	10.7	1.6	1	36.0	5.2	0.6	10	32.7	15.9	1.3
2000		12	53.8	33.0	1.9	2	71.4	10.6	1.0	14	58.1	43.6	1.7
2001		6	48.5	4.8	1.6	-	-	-	-	6	48.5	4.8	1.6
2001	**III**	2	90.7	1.3	1.7	-	-	-	-	2	90.7	1.3	1.7
	IV	1	36.0	1.0	1.3	-	-	-	-	1	36.0	1.0	1.3
2002	**I**	3	40.9	9.0	1.6	1	36.0	5.2	1.4	4	39.1	14.2	1.6
	II	6	39.7	12.1	2.2	-	-	-	-	6	39.7	12.1	2.2
Transportation													
1999		19	37.9	47.2	2.9	4	43.0	12.8	2.3	23	39.0	60.0	2.8
2000		14	39.0	41.1	2.7	5	34.3	53.6	2.1	19	36.3	94.7	2.4
2001		23	34.0	31.4	2.8	3	46.8	4.9	3.3	26	35.8	36.3	2.8
2001	**III**	6	37.6	7.3	3.0	-	-	-	-	6	37.6	7.3	3.0
	IV	4	33.2	3.7	2.0	-	-	-	-	4	33.2	3.7	2.0
2002	**I**	3	38.8	4.5	2.0	2	37.7	3.5	2.9	5	38.3	8.0	2.4
	II	3	36.0	10.8	2.7	-	-	-	-	3	36.0	10.8	2.7

Agmts. - Number of Agreements
Dur. - Average Agreement Duration
Empls. - Number of Employees
Avg. Adj. - Average Annual Adjustment (%)

Table 4 (continued)

Effective Wage Adjustment in Base Rates, by Major Industry Division, with and without COLA, by year and Quarter

		Non-COLA Agreements				COLA Agreements				All Agreements			
		Agmts.	Dur.	Empls.	Avg. Adj.	Agmts.	Dur.	Empls.	Avg. Adj.	Agmts.	Dur.	Empls.	Avg. Adj.
			(Months)	(000's)	(%)		(Months)	(000's)	(%)		(Months)	(000's)	(%)
Information and Culture													
1999		14	32.5	34.8	2.5	4	56.7	11.2	2.4	18	38.4	46.0	2.5
2000		8	39.4	10.3	2.9	-	-	-	-	8	39.4	10.3	2.9
2001		6	34.5	8.9	3.2	1	60.0	1.1	2.8	7	37.4	10.1	3.2
2001	**III**	-	-	-	-	1	60.0	1.1	2.8	1	60.0	1.1	2.8
	IV	3	32.1	4.3	2.9	-	-	-	-	3	32.1	4.3	2.9
2002	**I**	1	36.0	1.0	3.0	-	-	-	-	1	36.0	1.0	3.0
	II	2	35.7	13.5	3.1	1	36.0	0.9	1.6	3	35.7	14.4	3.0
Finance, Real Estate and Management Services													
1999		4	34.5	2.9	2.8	-	-	-	-	4	34.5	2.9	2.8
2000		7	35.4	12.0	1.7	1	36.0	1.1	2.8	8	35.4	13.1	1.8
2001		12	37.1	14.6	2.4	-	-	-	-	12	37.1	14.6	2.4
2001	**III**	3	33.8	2.8	3.1	-	-	-	-	3	33.8	2.8	3.1
	IV	1	36.0	1.4	1.4	-	-	-	-	1	36.0	1.4	1.4
2002	**I**	1	60.0	0.5	2.0	-	-	-	-	1	60.0	0.5	2.0
	II	-	-	-	-	-	-	-	-	-	-	-	-
Education, Health and Social Services													
1999		140	36.4	301.9	1.8	-	-	-	-	140	36.4	301.9	1.8
2000		200	38.2	503.1	2.6	1	36.0	0.9	4.7	201	38.2	504.0	2.6
2001		164	28.0	301.8	3.5	5	36.8	101.3	2.8	169	30.2	403.1	3.4
2001	**III**	31	28.2	44.8	3.3	2	36.0	36.8	4.4	33	31.7	81.6	3.8
	IV	29	34.6	83.5	3.1	-	-	-	-	29	34.6	83.5	3.1
2002	**I**	28	34.5	116.9	3.1	-	-	-	-	28	34.5	116.9	3.1
	II	75	16.2	267.2	2.8	1	36.0	0.9	2.0	76	16.2	268.0	2.8
Entertainment and Hospitality													
1999		14	33.6	13.3	2.6	-	-	-	-	14	33.6	13.3	2.6
2000		6	46.2	7.7	3.0	-	-	-	-	6	46.2	7.7	3.0
2001		4	36.0	6.4	4.0	-	-	-	-	4	36.0	6.4	4.0
2001	**III**	1	36.0	0.8	2.7	-	-	-	-	1	36.0	0.8	2.7
	IV	-	-	-	-	-	-	-	-	-	-	-	-
2002	**I**	-	-	-	-	1	36.0	0.6	2.1	1	36.0	0.6	2.1
	II	2	46.5	4.0	1.9	-	-	-	-	2	46.5	4.0	1.9
Public Administration													
1999		47	28.5	143.2	2.2	2	36.0	1.8	2.1	49	28.6	145.0	2.2
2000		69	25.9	293.2	2.3	1	36.0	5.3	2.4	70	26.1	298.5	2.3
2001		56	32.5	204.0	3.1	6	36.0	36.5	2.7	62	33.1	240.6	3.0
2001	**III**	18	28.4	38.7	3.0	1	36.0	0.7	2.4	19	28.5	39.4	3.0
	IV	19	34.2	120.8	3.1	1	48.0	0.9	2.1	20	34.3	121.7	3.1
2002	**I**	7	36.2	44.8	2.8	2	36.0	2.2	2.6	9	36.2	47.0	2.8
	II	15	25.0	110.7	2.4	-	-	-	-	15	25.0	110.7	2.4

Agmts. - Number of Agreements
Dur. - Average Agreement Duration
Empls. - Number of Employees
Avg. Adj. - Average Annual Adjustment (%)

Table 5

Effective Wage Adjustment in Base Rates, Number of Agreements and Employees Covered, by year and Quarter

	1999	2000	2001	2001		2002	
				3	4	1	2
All Industries							
Wage Adjustment (%)	2.2	2.5	3.1	3.4	3.0	2.9	2.7
Number of Agreements	377	405	414	96	83	58	120
Number of Employees (000's)	824.9	1,080.8	976.5	240.6	246.2	203.7	442.3
Private Sector							
Wage Adjustment (%)	2.7	2.4	2.9	3.2	2.4	2.0	2.6
Number of Agreements	158	103	156	38	30	15	21
Number of Employees (000's)	314.3	163.3	286.1	111.6	29.9	29.3	43.6
Public Sector							
Wage Adjustment (%)	1.9	2.5	3.2	3.5	3.1	3.1	2.7
Number of Agreements	219	302	258	58	53	43	99
Number of Employees (000's)	510.6	917.5	690.4	129.0	216.3	174.4	398.7
Federal Administration							
Wage Adjustment (%)	2.9	2.1	3.0	4.4	2.8	2.9	4.0
Number of Agreements	10	18	17	1	9	3	2
Number of Employees (000's)	53.2	154.8	131.5	2.8	99.6	33.5	1.2
Federal Crown Corporations							
Wage Adjustment (%)	2.4	2.2	3.7	4.0	3.0	2.9	2.1
Number of Agreements	6	3	7	2	2	2	2
Number of Employees (000's)	19.8	46.6	9.2	1.4	2.3	3.5	1.9
Provincial Administration							
Wage Adjustment (%)	1.6	2.5	3.2	3.4	4.3	2.6	2.4
Number of Agreements	21	37	26	5	8	3	13
Number of Employees (000's)	73.9	114.4	86.2	17.2	17.2	9.9	113.0
Local Administration							
Wage Adjustment (%)	2.3	2.5	2.6	2.5	3.0	3.0	2.9
Number of Agreements	34	33	28	15	3	4	5
Number of Employees (000's)	44.2	69.2	38.3	24.1	3.1	4.5	13.9
Education, Health and Welfare							
Wage Adjustment (%)	1.8	2.6	3.4	3.8	3.2	3.1	2.8
Number of Agreements	138	199	167	33	28	28	76
Number of Employees (000's)	296.2	501.4	400.5	81.6	84.8	116.9	268.0
Public Utilities							
Wage Adjustment (%)	2.1	3.6	2.7	2.9	2.3	3.3	2.4
Number of Agreements	10	12	13	2	3	3	1
Number of Employees (000's)	23.3	31.0	24.7	1.8	9.3	6.1	0.6

Table 6

Selected Economic Indicators, by Year and Quarter

	1999	2000	2001	2001- 2002			
				3	4	1	2
Wage Settlements (%)	2.2	2.5	3.1	3.4	3.0	2.9	2.7
Public Sector (%)	1.9	2.5	3.2	3.5	3.1	3.1	2.7
Private Sector (%)	2.7	2.4	2.9	3.2	2.4	2.0	2.6
Agreements in Force	2.0	2.3	2.8	2.8	2.9	2.9	2.8
Public Sector (%)	1.8	2.2	2.9	3.0	3.0	3.0	2.9
Private Sector (%)	2.2	2.4	2.6	2.6	2.8	2.6	2.8
Consumer Price Index Per Cent Change[1]	1.7	2.7	2.6	2.7	1.1	1.5	1.3
GDP[2] at Basic Prices[3] Per Cent Change[1]	4.8	4.5	1.1	0.0	0.4	1.7	3.2
Labour Productivity Growth (%)	2.2	1.9	0.4	-0.4	0.4	1.2	1.5
Unit Labour Cost (%)	0.8	3.7	2.8	2.7	2.2	0.9	0.8
Unemployment Rate[3]	7.6	6.8	7.2	7.2	7.7	7.8	7.6
Employment (000's)[3]	14,531	14,910	15,077	15,074	15,094	15,199	15,339
Per Cent Change[1]	2.8	2.6	1.1	1.0	0.4	1.1	1.8
Average Weekly Earnings[3]	$ 638.67	$ 653.50	$ 665.09	$ 667.56	$ 670.44	$ 672.98	$ 675.85
Per Cent Change[1]	1.0	2.3	1.8	1.7	1.9	1.8	2.2
Average Hourly Earnings	$ 16.07	$ 16.50	$ 16.79	$ 16.96	$ 17.05	$ 17.10	$ 17.16
Per Cent Change[1]	1.6	2.8	1.6	3.1	3.6	3.0	2.8

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[1] Per cent change from the same period of the previous year

[2] GDP - Gross domestic product at basic prices (1997)

[3] Seasonally adjusted data

TECHNICAL NOTES

The information in this report is produced from collective agreement settlements in Canada which cover 500 or more employees in all industries. A few settlements are excluded where the basis of payment is on a piece/ mileage rate basis.

The construction industry is excluded prior to 1983.

The Base Rate

The base rate is the lowest paid classification used for qualified workers in the bargaining unit. In most instances, the base rate is the rate of pay for an unskilled or semi-skilled classification of workers. However, this is not the case in contracts covering only skilled workers and professional employees.

As only the base rate in a contract is used, the resulting data on percentage change do not necessarily reflect the average wage change for all workers in the bargaining unit. For example, where an across-the-board increase is negotiated for all classifications in cents per hour (or other money terms), measurement on the base rate produces higher results than measurement on any higher rate, including the average rate. Where varying percentage or money increases are negotiated for different classifications, measurement on the base rate may produce results that are higher or lower than measurement on the average rate. Where an across-the-board increase is negotiated for all classifications in percentage terms, measurement on the base rate produces results identical to measurement on any other rate, including the average rate. It should be noted that information on the average rate for all employees in a bargaining unit is not available.

Effective Wage Increase

The effective wage increase is the increase in rates of pay including estimated **cost-of-living allowance (COLA)** payments. Estimates of the yield of COLA clauses are obtained by quantifying the characteristics of these clauses in each agreement and applying a combination of actual Consumer Price Index (CPI) increases available to date plus a specified projected inflation rate for the remainder of the contract duration. In succeeding quarters, these estimates are revised using actual CPI values as they become available.

In the current report, an **inflation projection of 2.0 per cent** has been used when the actual rate is unknown. This figure is based on a rounded average of inflation forecasts and is intended for illustrative purposes only and does not constitute an official forecast by Human Resources Development Canada. The use of different inflation rate scenarios could result in varying settlement increases. The inflation projection used will be revised periodically to reflect prevailing economic conditions.

By including reasonable estimates of future payments under COLA clauses, the effective wage increase concept facilitates an accurate comparison of agreements with and without COLA and permits the aggregation of all agreements to yield an improved measure of wage settlements.

Public and Private Sectors

The principal unit of observation is the collective bargaining unit; however, the designation for inclusion in the public sector is by reference to characteristics of the employer with whom a bargaining unit negotiates. Reference to the employer characteristics makes the directives consistent with Statistics Canada's use of "institutional units" or "entities".

While the criteria relate to the classification of the public sector only, *the private sector is defined by exclusion.*

Public sector bargaining units negotiate wages or other working conditions with an employer who is part of, or an agent of, a government or a government business enterprise. The distinction between the two is whether the activity engaged in is "non-commercial" (Government) or "commercial" (Government Business Enterprise).

Government (Non-Commercial)

The government component comprises all non-commercial entities controlled by governments and mainly financed out of general taxation or other public funds. These entities provide goods and/or services free or at non-market prices (not having a view to profit).

Sub-sectors of the government component are identified below:

(1) Federal Government

Collective bargaining in the federal government component is conducted under the *Public Service Staff Relations Act* (Parts 1 and 2), and the *Parliamentary Employment and Staff Relations Act*.

(2) Provincial and territorial governments

(a) provincial and territorial government administration;

(b) health, education and social services agencies or institutions:
   (i) public hospitals,
   (ii) provincial residential care facilities,
   (iii) universities,
   (iv) colleges, vocational and trade institutions,
   (v) social services business enterprise,
   (vi) provincial elementary and secondary schools.

(3) Local Government Administration

(a) local government organizations such as: municipalities, boards, commissions;

(b) school boards;

(c) social services: establishments at the local level primarily engaged in providing basic domiciliary care only, such as homes for the aged, blind or senile, boarding houses for the aged, day nurseries, shelters, etc.

Government Business Enterprise (Commercial)

The commercial component of the public sector is divided into three broad sub-groupings, based on degree of governmental control, as follows:

(1) Direct Control

A commercial enterprise is directly controlled by a government if one of the following conditions is met:

(a) a government holds more than 50 per cent of its voting equity, directly;

(b) a government has irrevocable options or the right to acquire shares, or convertible debt or equity, exercisable at the discretion of that government.

(2) Effective Control

A commercial enterprise is effectively controlled by a government if one of the following conditions is met:

(a) the government holds a significant voting ownership in a public enterprise, where "significant" is understood as:
   (i) the holding is the largest block of voting equity; and
   (ii) the holding exceeds 33.3 per cent of the voting equity; and
   (iii) the block is larger than the combined percentage of the next two largest blocks;

(b) the commercial enterprise declares that it is effectively controlled by a government;

(c) there exists a method or variety of methods (e.g. significant voting ownership of the enterprise, technological agreements, supply controls or contracts, management contracts, interlocking directorships, etc.)

(3) Indirect Control

A business enterprise is indirectly controlled by a government if that government directly or effectively controls a government business enterprise, which in turn directly or effectively controls that enterprise.

SELECTED PROVISIONS IN CURRENT COLLECTIVE AGREEMENTS

Workplace Information Directorate
Labour Program, Human Resources Development Canada

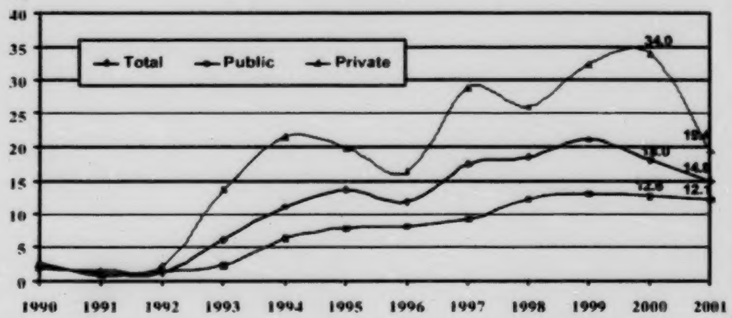
Long-Term Collective Agreements

Collective Agreement Settlements

The following analysis provides an overview of trends in regards to long-term collective agreements; those with a duration of greater than 36 months. Although a growing incidence of longer-term contracts emerged in the early 1990s, this tendency really began to build momentum in 1993 in eastern Canada's pulp and paper industry. Over the past two years however, the proportion has somewhat declined (see Chart 1).

Chart 1

Percentage of Collective Agreements of 36 Months or More as a Proportion of Collective Agreements Ratified in the Year (1990-2001)



Source: Workplace Information Directorate

Is this trend more prevalent in certain provinces in specific sectors or in smaller bargaining units? In an attempt to provide an answer to these questions, we have examined the trends in longer-term collective agreements in both 2000 and 2001.

Public and Private Sectors

In the **public sector,** a similar proportion of longer-term collective agreements was ratified in 2000 and 2001. Of a total of 257 collective agreements settled in 2001, 31 agreements (12.1 per cent) had a duration of more than 36 months while the comparable figure for 2000 was 38 out of 302 agreements (12.6 per cent).

In the **private sector**, 30 out of a total of 155 collective agreements settled in 2001 (19.4 per cent) had a longer duration, compared with 35 out of 103 agreements (34 per cent) in 2000. Although the proportion of longer-term collective agreements in the private sector dropped significantly in 2001, to slightly more than half that of the preceding year's, a higher incidence of long-term agreements has nonetheless been maintained in the private sector since the emergence of this trend.

As in the case of the declining incidence of longer-term agreements, a decrease in the average duration of collective agreements has also occurred in the last year. In 2001, the average contract duration in the public sector stood at 31.6 months, compared with an average of 36.2 months in the private sector (see Chart 2).

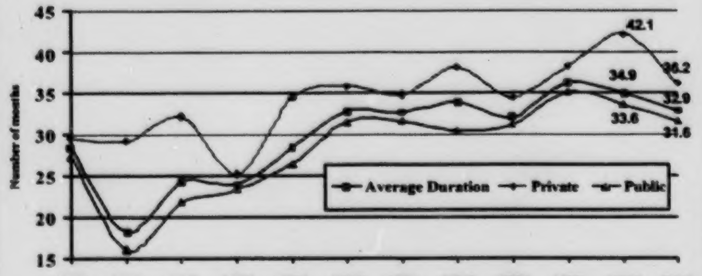
The gap between the public and private sectors was greater in 2000 than in 2001; nearly 10 months, or more specifically, an average duration of 42.1 months in the private sector and 33.6 months in the public sector.

In the public sector, the decline in the average duration of collective agreements in both 2000 and 2001 could be explained by the large number of contracts settled in the education sector in Ontario and the context in which these contracts were negotiated. In the private sector, the increased average duration for 2000 is due in part to a large number of contracts in the retail food industry with significantly longer durations (14 agreements with an average duration of 58.5 months).

With the exception of 1997, Chart 2 demonstrates the public sector's influence on the overall average duration of collective agreements. In 1992, 1994, and 2000, although the average contract term in the private sector steadily increased, the overall average duration remained consistent with that of the public sector. Also, over these three years, more than two thirds of all contracts ratified were in the public sector (68.1 per cent on average).

Chart 2

Average Duration of Collective Agreements Ratified in the Year by Public and Private Sectors (1990-2001)



Source: Workplace Information Directorate

Bargaining Unit Size

This section of the analysis is based on a stratified sample methodology by bargaining unit size for which data collection began in January 2000 and which is presented as follows: small bargaining units (100 to 499 workers), medium-sized (500 to 1,999 workers) and large bargaining units (2,000 workers or more).

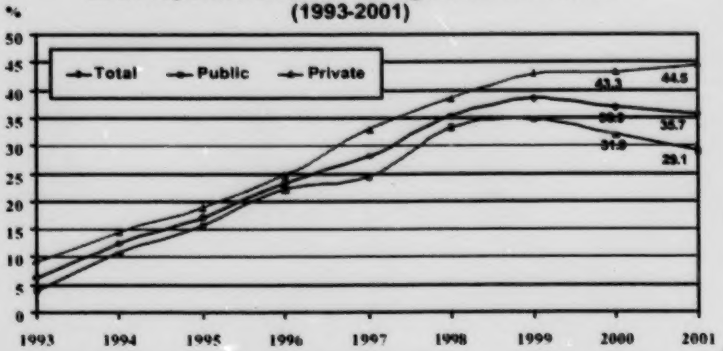
Small bargaining units have the highest proportion of collective agreements with a duration of more than 36 months. For smaller bargaining units, ensuring labour peace over a longer period, may help to mitigate a greater sensitivity to economic conditions and a heightened level of competitiveness.

In 2001, out of a total of 157 collective agreements involving small bargaining units, 37 (23.6 per cent) had an average duration of more than 36 months compared to 17.4 per cent of medium-sized bargaining units and only 7.0 per cent of large bargaining units. In 2000, 53 out of 168 collective agreements for small bargaining units (31.5 per cent) were long-term. In comparison, for medium-sized bargaining units, 53 out of 291 collective agreements (18.2 per cent) had a duration of over 36 months, while for large bargaining units, the proportion was 20 out of 114 (17.5 per cent).

Collective Agreement in Force

Chart 3

Percentage of Collective Agreements of 36 Months or More as a Proportion of Collective Agreements in Force (1993-2001)



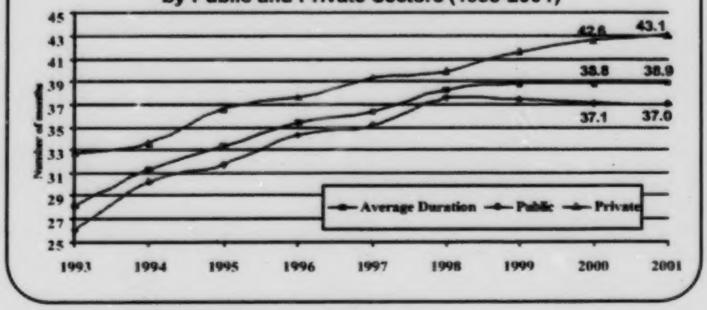
Source: Workplace Information Directorate

While there has been a significant decline in the number of long-term agreements ratified in 2001, particularly in the private sector, data for collective agreements in force however indicate that the **proportion** of those with a duration of more than 36 months seems to have stabilized at 35.7 per cent in 2001 and 36.9 in 2000 (see Chart 3). The same scenario holds true in regards to the average duration of collective agreements in force which is virtually unchanged from 38.8 months in 2000 to 38.9 months in 2001.

Since 1993, when monitoring trends in long-term collective agreements began, there has consistently been a higher incidence of these in the private sector than in the public sector. While this trend was maintained in both 2000 and 2001, the gap has nonetheless grown wider as the proportion of long-term agreements continued to increase in the private sector whereas a decrease began to appear in the public sector in 2000. The number of long-term agreements in force in the public sector now represents only 29.1 per cent of total agreements in force in that sector, while the proportion in the private sector has grown to 44.5 per cent. Similarly, a divergence in the **average duration** of collective agreements in force has also become more evident with an average contract term of 37 months in the public sector and of 43.1 months in the private sector (see Chart 4).

Chart 4

Average Duration of Collective Agreements in Force by Public and Private Sectors (1993-2001)



Source: Workplace Information Directorate

Jurisdiction

While **Newfoundland and Labrador** reported an average contract term of 48.3 months in 2001, the trend towards longer-term agreements has steadily increased and is now most evident in the province of **Quebec**, which features the highest incidence on a jurisdictional basis, in terms of the number of long-term agreements (143) and their proportion of collective agreements in force (74.1 per cent) and an average duration of 46.8 months.

Long-term agreements are the least prevalent in collective agreements in force in **Ontario** (18.6 per cent) and **Alberta** (14.1 per cent). The pattern of shorter term contracts in Ontario most likely stems from the ratification of a large number of 12-month agreements in the **education** sector for which budgets were attributed on an annual basis in 2000 and 2001. Agreements in force in Alberta also feature the shortest average duration (26.8 months) while the average contract term in Ontario (35.7 months) remains slighter lower than the national average of 38.9 months. The trend towards short-term agreements which is prevalent in all industry sectors, is in all probability due to that province's continued economic growth.

Industry

The largest proportions of long-term agreements were in the **wholesale and retail trade** sector, in **primary industries** and in **manufacturing**, whereas no significant developments in this regard have yet occurred in the **public administration** sector.

In 2001, as in 2000, the majority of long-term contracts (69.4 per cent) was found in the **wholesale and retail trade** sector which also featured collective agreements in force with the longest average duration in 2001 (55.7 months).

Primary industries followed with 10 long-term collective agreements in force out of a total of 20 (50 per cent) and an average duration of 43.5 months as well as the **manufacturing** sector with 97 long-term agreements out of a total of 197 (49.2 per cent) and an average duration of 43.8 months. In the manufacturing sector, as indicated in an earlier study,[1] the pulp and paper industry particularly stands out in this regard.

The smallest proportion of long-term agreements is found in the **public administration** sector (19.2 per cent) which also features collective agreements in force with the shortest average duration at 36.2 months.

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[1] Human Resources Development Canada, Workplace Information Directorate, Workplace Gazette, Vol. 2, No. 3 (1999).

WORK STOPPAGES—2002
AND CHRONOLOGICAL PERSPECTIVE

Workplace Information Directorate
Labour Program, Human Resources Development Canada

Major Work Stoppages (500 or More Workers)

Summary

There were nine work stoppages involving 500 and more workers during the second quarter 2002 in Canada. Three major work stoppages accounted for 90 per cent of the person-days not worked. The strike involving the Government of Ontario and the Ontario Public Service Employees Union represented 720,000 person-days not worked, which accounted for approximately 67 per cent of the person-days not worked during the second quarter. Two work stoppages in Quebec accounted for approximately 23 per cent of the person-days not worked. Work stoppage of 2,200 administrative and technical employees of Vidéotron Ltd. represented 129,200 person-days not worked while the work stoppage of the 7,500 machinists from Bombardier Inc. generated 120,000 person-days not worked.

Table 1

Major Work Stoppages by Jurisdiction
Second Quarter 2002

Jurisdiction	Stoppages	Workers Involved	Person-Days Not Worked
Newfoundland and Labrador	-	-	-
Prince Edward Island	-	-	-
Nova Scotia	-	-	-
New Brunswick	-	-	-
Quebec	2	8,000	123,500
Ontario	4	39,457	766,400
Manitoba	-	-	-
Saskatchewan	1	2,000	14,290
Alberta	-	-	-
British Columbia	-	-	-
Territories	-	-	-
Multiprovince	-	-	-
Total Provinces	**7**	**49,457**	**904,190**
Canada Labour Code-Part I	2	3,400	173,770
Federal Administration	-	-	-
Federal Total	2	3,400	173,770
Total	**9**	**52,857**	**1,077,960**

Source: Workplace Information Directorate

Table 2

Major Work Stoppages by Industry
Second Quarter 2002

Industries	Stoppages	Workers Involved	Person-Days Not Worked
Primary Industries	1	500	3,500
Utilities	-	-	-
Construction	-	-	-
Manufacturing	3	9,000	146,000
Wholesale and RetailTrade	1	2,000	14,290
Transportation	-	-	-
Information and Culture	2	3,400	173,770
Finance, Real Estate and Management Services	-	-	-
Education, Health and Social Services	-	-	-
Entertainment and Hospitality	-	-	-
Public Administration	2	37,957	740,400
Various Industries	-	-	-
Total	**9**	**52,857**	**1,077,960**

Source: Workplace Information Directorate

All Work Stoppages—First Quarter 2002 (One or More Workers)

Table 3

All Work Stoppages by Jurisdiction
First Quarter 2002

Jurisdiction	Cumulative to March 31, 2002 Stoppages	 Workers Involved	 Person-Days Not Worked
Newfoundland and Labrador	1	13	20
Prince Edward Island	-	-	-
Nova Scotia	2	814	14,280
New Brunswick	2	55	3,320
Quebec	23	5,241	62,960
Ontario	35	34,862	460,140
Manitoba	1	67	740
Saskatchewan	3	2,082	10,110
Alberta	2	14,048	27,160
British Columbia	10	35,986	41,674
Territories	-	-	-
Multiprovince	-	-	-
Total Provinces	**79**	**93,168**	**620,404**
Canada Labour Code-Part I	13	1,580	23,430
Federal Administration	-	-	-
Federal Total	13	1,580	23,430
Total	**92**	**94,748**	**643,834**

Source: Workplace Information Directorate

Table 4

All Work Stoppages by Industry
First Quarter 2002

Industries	Cumulative to March 31, 2002 Stoppages	 Workers Involved	 Person-Days Not Worked
Primary Industries	-	-	-
Utilities	-	-	-
Construction	1	50	1,450
Manufacturing	31	5,339	93,680
Wholesale and RetailTrade	11	3,360	39,680
Transportation	16	851	17,350
Information and Culture	2	1,211	7,890
Finance, Real Estate and Management Services	4	92	2,170
Education, Health and Social Services	10	50,934	89,200
Entertainment and Hospitality	10	374	7,354
Public Administration	7	32,537	385,060
Various Industries	-	-	-
Total	**92**	**94,748**	**643,834**

Source: Workplace Information Directorate

A weekly listing of major work stoppages in Canada and a full chronological perspective are available on the Workplace Information Directorate Web site at:

http://labour-travail.hrdc-drhc.gc.ca/doc/wid-dimt/eng

Table 5

All Work Stoppages—A Chronological Perspective

Period	Number beginning year or month	In existence during year or month*			% of Estimated working time
		Total number	Workers involved	Person-days not worked	
1992	353	404	149,940	2,110,180	0.07
1993	323	381	101,784	1,516,640	0.05
1994	312	374	80,856	1,606,580	0.06
1995	282	328	149,159	1,583,070	0.05
1996	297	330	281,816	3,351,850	0.11
1997	229	284	257,664	3,610,210	0.12
1998	341	381	244,402	2,443,870	0.08
1999	358	413	158,612	2,445,740	0.08
2000	319	377	143,570	1,661,620	0.05
2001	323	379	223,761	2,231,145	0.07
2001					
March	32	79	16,433	186,740	0.07
April	61	121	52,850	503,840	0.18
May	29	103	42,679	288,605	0.01
June	41	108	45,283	258,210	0.09
July	30	90	19,498	178,415	0.06
August	23	74	78,394	208,985	0.07
September	16	62	23,051	110,720	0.04
October	25	66	7,759	82,540	0.03
November	15	60	12,356	75,300	0.03
December	22	60	8,922	112,760	0.04
2002					
January	20	63	44,038	125,410	0.05
February	15	56	18,298	76,104	0.03
March	14	56	38,666	442,320	0.16

* Refers to work stoppages which began during the year or month as well as those carried over from the previous year or month.

Source: Workplace Information Directorate

TECHNICAL NOTES

Data on work stoppages collected by the Workplace Information Directorate of the Labour Program of Human Resources Development Canada covers strikes and lockouts which amount to ten or more person-days lost.

A strike is a concerted work stoppage by a group of employees which is done in order to bring about a change in an employer's position, and it occurs during the negotiating process. A legal strike is one that respects all the conditions mandated by law, most notably that the strike is taking place during negotiations. A strike will be declared illegal if it does not respect the applicable laws. A lockout occurs when work is suspended by the employer or a group of employers in order to pressure employees to change their position, and a lockout must also occur during the negotiating process.

Developments leading to work stoppages are sometimes too complex to make it practicable to distinguish between strikes on the one hand and lockouts on the other.

The major characteristics of work stoppages on which information is gathered are:

Employer – Firm or firms employing the workers reported on strike or locked out.

Location – Location of the plant or premises at which the work stoppage occurred.

Industry – Industry of employer according to the North American Industry Classification System (1997).

Union – The workers' organization(s) directly involved or concerned in the dispute that led to work stoppage.

Workers Involved – The total number, or approximate total number, of workers reported on strike or locked out, whether or not they all belonged to the union directly involved in the dispute that led to work stoppage. Where the number of workers involved varied in the course of the stoppage, the maximum number is used in tabulating annual or other totals. (Where a stoppage commenced in a previous year, the maximum number during the whole stoppage is the number used). Monthly totals are similarly based on the highest figures but allowance is made for changes reported in stoppages extending over two or more months. The total number of workers shown may include the same workers more than once if they are involved in more than one work stoppage during the year (or other reference period). Workers indirectly affected, such as those laid off as a result of a work stoppage, are not included in the data on workers involved.

Starting Date – The day on which the work stoppage began.

Termination Date – For work stoppages that are terminated by mutual agreement, the termination date is the day on which work was resumed. Where normal operations could not be resumed shortly after the employees agreed to return, the day on which they were available for work is regarded as the termination date. Some work stoppages are never formally settled, and this presents statistical difficulties. In such a case, the stoppage is usually considered terminated for statistical purposes, at the date by which it was established that two-thirds or more of the workers involved had either returned to work, or had found work with other employers; or the date by which it was reported that the operations affected by the work stoppage would not be resumed.

Duration – The duration of each stoppage is calculated in terms of working days, including the starting date and all subsequent normal working days up to the termination date. The days counted as working days are those on which the establishment involved would normally be in operation (five days per week).

Duration in Person-Days – Duration in working days multiplied by the number of workers involved. For work stoppages involving establishments in which the number of weekly working days (see Duration above) exceeds the work week of individual employees, the duration in person-days is adjusted by the appropriate ratio. Variations in the number of workers involved in the course of a stoppage are also taken into account in the calculation as far as practicable. The data on duration of work stoppages in person-days are provided to facilitate comparisons of work stoppages in terms of a common denominator; they are not intended as a measure of the loss of production time to the economy. The expression "Time loss" is occasionally used instead of "duration in person-days". The term most commonly used is person-days not worked due to the duration in person-days of all work stoppages in a year is also shown as a percentage of estimated working time based on estimates of the number of non-agricultural paid workers in Canada obtained from the Labour Force Survey of Statistics Canada.

Jurisdiction – Statistics on work stoppages are also classified according to jurisdiction. This is done on the basis of the government and those businesses covered by Part 1 of the *Canadian Labour Code* whose industrial relations statistics are applicable to the establishment involved in the dispute. (The tabulation of statistics on work stoppages by jurisdiction corresponds to a tabulation by province, except where the Federal jurisdiction is involved.)

The data reflect all work stoppages that have come to the notice of Workplace Information Directorate, and meet the criteria defined above, e.g. minimum person-days. The methods used to secure this information are believed to be adequate to preclude the possibility of major omissions.

Workplace
Information

Information
sur les milieux
de travail

UNION MEMBERSHIP IN CANADA—2002

Workplace Information Directorate
Labour Program, Human Resources Development Canada

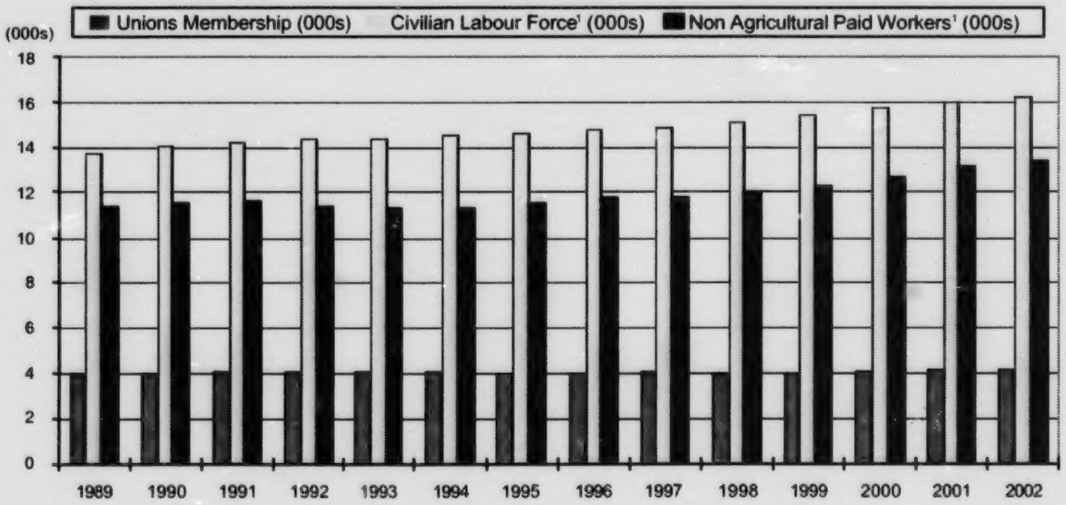
Each year, the department carries-out a survey of labour organizations in Canada with international and national unions either affiliated or unaffiliated to a central labour congress and having one or more members and labour organizations consisting of a single bargaining unit and having more than 50 members, but non affiliated with any other labour organizations. Preliminary data indicate that union membership in January 2002 stood at 4,174,000. This figure represents an increase of 63,550 members compared to 2001, namely 4,110,450 members (see graph and Table 1). However, over the year 2001, non-agricultural paid employment rose more rapidly by 268,000.

Consequently, the unionization rate or union density (union membership as a percentage of non-agricultural paid employment) continued its marginal decline to 31,1 per cent.

The affiliated membership of the Canadian Labour Congress increased by 52,645 from 2,984,750 in 2001 to 3,037,395 in 2002 and its share of total union membership rose from 72,6 per cent in 2001 to 72,8 per cent in 2002.

Between 2001 and 2002, the unaffiliated national unions increased from 12.1 per cent to 12.2 per cent, which represented an increase of approximately 10,680 members.

Union Membership, Civilian Labour Force and the Non-Agricultural Paid Workers
1989-2002



[1] Statistics Canada, The Labour Force Survey, Labour Statistics Division.

Source: Workplace Information Directorate

Table 1

Union Membership in Canada, 1989–2002

Year	Union Membership (000s)	Civilian Labour Force[1] (000s)	Non-Agricultural Paid Workers[1] (000s)	Union Membership as a Percentage of Civilian Labour Force	Union Membership as a Percentage of Non-Agricultural Paid Workers
1989	3,944	13,779	11,340	28.6	34.8
1990	4,031	14,047	11,598	28.7	34.8
1991	4,068	14,241	11,679	28.6	34.8
1992	4,089	14,330	11,414	28.5	35.8
1993	4,071	14,362	11,303	28.3	36.0
1994	4,078	14,505	11,310	28.1	36.1
1995	4,003	14,627	11,526	27.4	34.7
1996	4,033	14,750	11,764	27.3	34.3
1997	4,074	14,900	11,802	27.3	34.5
1998	3,938	15,153	12,031	26.0	32.7
1999	4,010	15,418	12,295	26.0	32.6
2000	4,058	15,721	12,707	25.8	31.9
2001	4,111	15,999	13,146	25.7	31.3
2002	4,174	16,242	13,414	25.7	31.1

Note: Labour Force and non-agricultural paid employment data shown for each year are annual averages of the preceding year; data shown for union membership are as of *January* of the years shown and as reported by labour organizations.

[1] Statistics Canada, The Labour Force Survey, Labour Statistics Division.

Table 2

Unions with Largest Membership, 2001–2002

	Membership (000s)	
	2001	2002
Canadian Union of Public Employees (CLC)	505.0	521.6
National Union of Public and General Employees (CLC)	325.0	325.0
National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada) (CLC)	220.0	238.0
United Food and Commercial Workers International Union (AFL-CIO/CLC)	220.0	220.0
United Steelworkers of America (AFL-CIO/CLC)	190.0	180.0
Communications, Energy and Paperworkers Union of Canada (CLC)	149.0	150.0
Public Service Alliance of Canada (CLC)	148.7	150.0
International Brotherhood of Teamsters (AFL-CIO/CLC)	102.0	102.0
Fédération de la santé et des services sociaux (CSN)	100.2	101.3
Service Employees International Union—Canada (AFL-CIO/CLC)	85.0	90.0
Laborers' International Union of North America (AFL-CIO/CLC)	65.0	72.5
Fédération des syndicats de l'enseignement (CSQ)	80.1	67.6
Elementary Teachers' Federation of Ontario (CLC)	55.0	63.5
International Brotherhood of Electrical Workers (AFL-CIO/CLC)	55.0	54.8
United Brotherhood of Carpenters and Joiners of America (AFL-CIO/CLC)	56.0	53.0
British Columbia Teachers' Federation (Ind.)	46.1	52.6
Canadian Union of Postal Workers (CLC)	46.0	50.7
Ontario Secondary School Teachers' Federation (CLC)	50.4	48.4
Fédération des infirmières et infirmiers du Québec (ind.)	44.1	45.5
Ontario Nurses' Association (CLC)	45.0	45.0
International Association of Machinists and Aerospace Workers (AFL-CIO/CLC)	45.6	44.0
Industrial Wood and Allied Workers of Canada (CLC)	45.0	42.5
Professional Institute of the Public Service of Canada (Ind.)	32.5	41.8
Syndicat de la fonction publique du Québec (ind.)	46.8	41.0
Fédération des employées et employés de services publics inc. (CSN)	40.0	40.0
United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada (AFL-CIO/CLC)	39.6	39.6
Fédération du commerce inc. (CSN)	35.0	38.0
International Union of Operating Engineers (AFL-CIO/CLC)	36.0	36.0
Office and Professional Employees International Union (AFL-CIO/CLC)	30.0	35.0
Ontario English Catholic Teachers' Association (CLC)	33.0	34.0
Alberta Teachers' Association (Ind.)	32.2	32.0

Source: Workplace Information Directorate

Table 3

Union Membership by Congress Affiliation, 2001–2002

Congress Affiliation	2001		2002	
	Membership	%	Membership	%
CLC	2,984,750	72.6	3,037,395	72.8
AFL-CIO/CLC	1,168,840	28.4	1,171,400	28.1
CLC only	1,815,910	44.2	1,865,995	44.7
CSN	260,450	6.3	272,600	6.5
AFL-CIO only	27,730	0.7	24,540	0.6
CSQ	114,690	2.8	104,720	2.5
CSD	72,680	1.8	62,120	1.5
CCU	9,840	0.2	9,670	0.2
Unaffiliated International Unions	**380**	**0.0**	**1,050**	**0.0**
Unaffiliated National Unions	**496,750**	**12.1**	**507,430**	**12.2**
Independent Local Organizations	**143,180**	**3.5**	**154,475**	**3.7**
Total	**4,110,450**	**100.0**	**4,174,000**	**100.0**

Note: Due to rounding sums may not always equal totals.

Source: Workplace Information Directorate

Table 4

National and International Composition of Unions, 2001–2002

Type of Union	2001		2002	
	Number	%	Number	%
	Unions			
National	219	22.2	220	24.8
International	47	4.8	46	5.2
Other*	720	73.0	620	70.0
Total	**986**	**100.0**	**886**	**100.0**
	Membership (000s)			
National	2,694	65.5	2,772	66.4
International	1,212	29.5	1,197	28.7
Other*	204	5.0	205	4.9
Total	**4,110**	**100.0**	**4,174**	**100.0**

Note: Due to rounding, sums may not always equal totals.

* Includes directly chartered unions and independent local organizations (see table 6).

Source: Workplace Information Directorate

Table 5

International and National Unions by Size, 2001–2002

Membership Range	International Unions		National Unions		Total	
	2001	2002	2001	2002	2001	2002
	Unions					
Under 999	7	7	79	72	86	79
1,000 – 9,999	15	17	97	104	112	121
10,000 – 29,999	13	11	22	22	35	33
30,000 – 49,999	5	4	12	11	17	15
50,000 – 99,999	4	4	4	5	8	9
100,000 and over	3	3	6	6	9	9
Total	**47**	**46**	**220**	**220**	**267**	**266**
	Membership (000s)					
Under 999	1	2	35	30	36	32
1,000 – 9,999	58	70	336	365	394	435
10,000 – 29,999	199	198	359	372	558	570
30,000 – 49,999	181	155	483	445	664	600
50,000 – 99,999	261	270	249	299	510	569
100,000 and over	512	502	1,234	1,261	1,746	1,763
Total	**1,212**	**1,197**	**2,695**	**2,772**	**3,908**	**3,969**

Note: Due to rounding, sums may not always equal totals.

Source: Workplace Information Directorate

Table 6

Union Membership by Type of Union and Affiliation, 2002

Type and Affiliation	Unions	Locals	Membership	
			Number	%
International Unions	**46**	**3,233**	**1,196,990**	**28.7**
AFL-CIO/CLC	39	3,155	1,171,400	28.1
AFL-CIO only	4	65	24,540	0.6
Unaffiliated Unions	3	13	1,050	0.0
National Unions	**220**	**13,368**	**2,772,105**	**66.4**
CLC	64	7,441	1,865,565	44.7
CSN	10	2,481	272,600	6.5
CEQ	15	381	104,720	2.5
CCU	7	27	9,670	0.2
CSD	2	93	12,120	0.3
Unaffiliated Unions	122	2,945	507,430	12.2
Directly Chartered Unions	**316**	**-**	**50,430**	**1.2**
CSD	309	-	50,000	1.2
CLC	7	-	430	0.0
Independent Local Organizations	**304**	**-**	**154,475**	**3.7**
Total	**886**	**16,601**	**4,174,000**	**100.0**

Note: Due to rounding, sums may not always equal totals.

Source: Workplace Information Directorate

Table 7

Canadian Labour Congress Membership by Affiliation, 2001–2002

	2001		2002	
Type and Affiliation	Membership	%	Membership	%
International Unions	**1,184,310**	**39.7**	**1,171,400**	**38.6**
AFL-CIO/CLC	1,168,840	39.2	1,171,400	38.6
CLC only	15,470	0.5	-	-
National Unions	**1,800,440**	**60.3**	**1,865,995**	**61.4**
CLC only	1,799,940	60.3	1,865,565	61.4
Directly Chartered Local Unions	**500**	**0.0**	**430**	**0.0**
Total	**2,984,750**	**100.0**	**3,037,395**	**100.0**

Note: Due to rounding, sums may not always equal totals.

Source: Workplace Information Directorate

Structure and Affiliation Changes to International and National Unions

Under the auspices of the Centrale des professionnelles et professionnels de la santé, there were seven organizations members. Two of these organizations, the Syndicat des intervenants professionnels de la santé du Québec and Association des employés en service social de la province de Québec, are now known as Syndicat des intervenants professionnels de la santé du Québec as of June 2001.

Name Changes—Old Name /New Name

Associations des ingénieurs et scientifiques (Marconi)/ Association des ingénieurs et scientifiques (CMC électronique) (May 2001)

Syndicat professionnel des diététistes du Québec/ Syndicat professionnel des diététistes et des nutritionnistes du Québec (septembre 2001)

Syndicat des agents de maîtrise de Québec-Téléphone/Syndicat des agents de maîtrise de Québectel (January 2001)

Canadian Telephone Employees' Association/Canadian Telecommunication Employees' Association (October 2001)

Source: Workplace Information Directorate

Negotech

A searchable labour relations database developed and maintained by the Workplace Information Directorate, Human Resources Development Canada, providing timely information on the key aspects of collective bargaining in Canada through:

- settlement reports containing the highlights of important benefit changes including wage adjustments in recently signed collective agreements;
- access to full collective agreement contract language; and
- customized data searches.

For further information, contact the Workplace Information Directorate at:

1-800-567-6866 or (819) 997-3117
Web Site: http://hrdc.gc.ca/labour/nego

INNOVATIVE WORKPLACE PRACTICES

Bruce Aldridge
Workplace Information Directorate
Labour Program, Human Resources Development Canada

This overview of workplace innovations is based on a review of 80 collective agreement settlements negotiated during the second quarter of 2002. Of these, close to one half (39 settlements) contained provisions considered to be innovative or of particular interest.

Duration

Of all settlements reviewed during the quarter, exactly one-half (40 collective agreements) had a duration of 36 months. Nine collective agreements had terms ranging from between 20 and 24 months, while six had duration of 12 months. A further 12 settlements had a duration of between 40 and 48 months. The remaining, 13 had durations of over 50 months. The longest duration was of 82 months between Motor Coach Industries Limited in Winnipeg, Manitoba and the International Association of Machinists and Aerospace Workers. In the retail industry in Saskatchewan and Ontario, three settlements had durations of 72 months: Real Canadian Superstores, province-wide Saskatchewan; and Extra Foods, Division of Westfair Foods Ltd., Regina and other centres, Saskatchewan and United Food and Commercial Workers International Union; and Loeb Canada Inc., Loeb Lincoln Heights Division, Ottawa, Ontario and CAW-Canada.

Compensation

A **gain-sharing** plan continues at British Columbia Hydro and Power Authority, province-wide, British Columbia, and Office and Professional Employees International Union with the objective of establishing an incentive framework that will focus all BC Hydro employees, both union and non-union, on specific performance objectives aligned to the success of the organization. The program will be calculated on financial, customer satisfaction and safety improvement measures, and if targets are achieved, will provide a potential pensionable payment of up to 4.0 per cent of annual earnings. Employees may receive the payment in a lump-sum amount or direct it to a registered retirement savings plan. The company has also introduced a **market adjustment** provision for certain classifications where there is a significant and demonstrable recruitment or retention challenge. The adjustments range from 3.0 to 6.0 per cent. The employer, at the union's request, will conduct a wage survey of relevant comparators between January 1, 2004 and March 31, 2004 to determine whether further market adjustments are warranted.

The Toronto Star Newspapers Ltd. and Communications, Energy and Paperworkers Union of Canada have a **profit-sharing** provision for the 36-month duration of their contract. The annual lump-sum payments are paid out if the gross profit of the company operations, before taxes, capital depreciation and interest payments, exceeds 15 per cent in the first year, 17 per cent in the second year and 20 per cent in the third year.

Hydro One, province-wide, Ontario, and Canadian Union of Public Employees, will establish an employee **share option** plan whereby employees may purchase up to 5.0 per cent of their base salary in shares on an annual basis. Employees may purchase shares through payroll deductions while the employer will provide a matching plan of one share for each three shares purchased by the employee. The employer will also cover the cost of brokerage commissions, trustee fees and costs associated with payroll deduction. Should this plan not become available by the end of 2002, an ongoing gain-sharing plan of 4.0 per cent will be increased to 6.0 per cent for the duration of delay past 2002. If the plan does not become available, the 6.0 per cent will remain ongoing.

A **performance bonus** has been introduced into the agreement between the Government of Ontario and Association of Management, Administrative and Professional Crown Employees of Ontario. Employees, who are at the maximum of their salary scale, will receive a lump-sum bonus based on performance for the previous fiscal year. The amounts will be 3.5 per cent for satisfactory performance and 6.0 per cent for above satisfactory level.

Communications Security Establishment in Ottawa, Ontario and Public Service Alliance of Canada have a **terminable retention allowance** which, for over the life of the agreement, can provide payments ranging from $2,500 to $13,838 for the Computer Systems Administration Group and from $6,000 to $13,713 for the Engineer Group.

The settlement between Motor Coach Industries Limited, Winnipeg, Manitoba and International Association of Machinists and Aerospace Workers, introduces a new classification arrangement. The structure will incorporate a **two-tier wage** structure and a **consolidated wage progression**. Employees hired after March 22, 2002, will immediately be placed on the new wage grid while the current employees' wage progression will continue according to the existing automatic progression steps until September 30, 2003, at which time they will be placed at the appropriate level of their new classification grid. An employee who, as a result of the consolidation, is placed at a level that is less than they were receiving as of September 30, 2003, will continue to receive the higher rate until such time as the rate assigned on the new wage progression equals or exceeds that rate.

In addition to their current pension plan, Owens-Corning Canada Inc., Edmonton, Alberta, and Communications, Energy and Paperworkers Union of Canada, have introduced a **voluntary employee pension plan** which will allow employees to contribute up to 4.0 per cent of annual earnings with the employer matching 50 per cent of the employee contribution. Contributions may be invested in any number of investment options made available by the funding agency operating the plan. Upon plan commencement, the employer will provide an initial payment, on a one-time only basis, to each employee's account. The payment will be the greater of $500, or the yield achieved when multiplying an employee's years of service as of July 31, 2002 by $25.

Working Conditions

The Catholic Children's Aid Society of Toronto and Canadian Union of Public Employees have introduced **job sharing** whereby requests will not be denied provided that the job share arrangement does not unreasonably interfere with efficient operations. The program will be evaluated on an ongoing basis to assess impact on service to clients as well as on the branch.

Loeb Canada Inc., Ottawa, Ontario, and CAW-Canada have established a **work-life balance** provision whereby a full-time employee who wants two consecutive weekend days off will be given a Saturday/Sunday or a Sunday/Monday off every four weeks whenever possible, as long as the employer can maintain a sufficient workforce for proper operation of the business.

The Saskatchewan Association of Health Organizations, province-wide, and Saskatchewan Union of Nurses have introduced a **cultural awareness program**. The education seminars, which focus on aboriginal issues, will be provided on an annual basis and paid for by the employer. Every effort will be made to allow employees to attend, or participate in spiritual or cultural observances required by faith or culture. An **enhanced recruitment initiative program** has been established between the Government of Ontario, province-wide, and Ontario Public Service Employees Union to identify and remove barriers to equal opportunity in the Ontario Public Service, recognizing that women, aboriginal persons, persons with disabilities, visual minorities and francophones may face barriers to employment in Ontario.

A trial implementation period of a **compressed work-week** has been negotiated between Pacific Transit Cooperative, Vancouver, British Columbia and Amalgamated Transit Union. The parties have agreed to compress 20 per cent of scheduled shifts into shifts of four days of 9 hours and 22.5 minutes each.

The Canada Customs and Revenue Agency, Canada-wide and Public Service Alliance of Canada have introduced a **working conditions study** whereby the employer agrees to provide up to $300,000 to review the particular working conditions of **term employees**.

Job Security

Extra Foods in Regina and other centres, Saskatchewan and United Food and Commercial Workers have introduced various **guarantees of hours of work** for full- and part-time employees. The complement of full-time employees will be increased by nine, comprising of seven additional urban agreement employees and two additional rural agreement employees. Also, when a new store opens within any location covered by the agreement, a minimum of 50 per cent of the jobs will be filled by existing employees. For part-time employees, the senior two-thirds of employees will be guaranteed 24 hours per week while the last third will be guaranteed 18 hours per week. In addition, nonprobationary available-anytime employees must be scheduled for no less than 14 hours per week.

Training

The Pacific Racing Association, Vancouver, British Columbia and Office and Professional Employees' International Union have set up an on-the-job training program in order to **upgrade the skills** of employees so that they may meet the requirements of job postings for which they are not presently qualified.

Other employers have negotiated **funds to pay for the educational needs** of employees. The agreement with Nova Scotia Power Incorporated and the International Brotherhood of Electrical Workers states that the employer will contribute 2¢ per hour per employee and deduct an additional 1¢ per hour from employees for their fund. Better Beef Limited in Guelph, Ontario and United Food and Commercial Workers International Union concur that the employer will contribute $1,000 per year to a union administered training and education fund.

In order to assist employees in personal training and development, the Construction Commission of Quebec, province-wide, and Office and Professional Employees International Union have agreed that the employer will lend a maximum of $3,000 to employees to purchase a **personal computer**, to be repaid over 24 months.

Funds

The Government of Ontario, province-wide, and the Ontario Public Service Employees Union have established an **innovation** fund to support, recognize and reward the effort of employees in the development of innovative practices. Cash awards will be set up for this purpose. A **social justice** fund has been initiated by Woodbridge Foam Corporation, Woodbridge, Ontario and CAW-Canada whereby the employer will contribute 0.5¢ per hour worked which provides solidarity assistance to non-profit and humanitarian projects within Canada and around the world. The University of Regina and University of Saskatchewan in Regina and Saskatoon, Saskatchewan and Canadian Union of Public Employees have set up a **job evaluation/pay equity** fund. The employers will contribute 1.0 per cent of regular payroll per year to address concerns within the bargaining unit.

A **financial planning** fund has been negotiated with Canada Customs and Revenue Agency, Canada-wide, and Public Service Alliance of Canada to provide $400 per year per employee for financial planning advice.

Labour-Management Committees

During this first quarter, close to a third (12) of the 39 agreements with innovative practices contained provisions for establishing committees dealing with a wide variety of concerns.

A **disability in the workplace and return to work** committee with Catholic Children's Aid Society of Toronto, and Canadian Union of Public Employees has been established to develop guidelines for accommodation and make recommendations regarding the implementation of a return to work and accommodation of disability program. The parties have also implemented a **central health and safety** committee to review and recommend guidelines to be used as part of regular worksite inspections to assess ergonomics. Also, an ad hoc committee has been set up to examine employee **workload assessment** requests.

The Toronto Star Newspapers Ltd., Toronto, Ontario, and Communications, Energy and Paperworkers Union of Canada have initiated an **attendance management** committee to control absenteeism and ensure that the program is both effective and fair.

A **workweek review** committee between Toronto Transit Commission and Amalgamated Transit Union is to discuss potential areas for the implementation of 4-day/10-hour shifts.

A number of other committees were included in agreements to discuss such items as team work, shift scheduling, early retirement, pay equity, job evaluation and electronic bulletin boards.

Innovative Workplace Practices

Previously published innovative workplace practices from past issues of the Workplace Gazette are available on the Workplace Information Directorate Web site at:

http://labour.hrdc-drhc.gc.ca

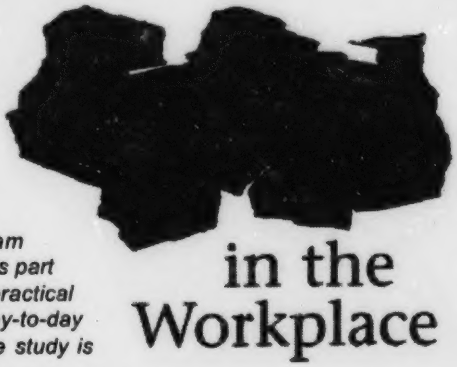
ABUSE IN THE WORKPLACE—A PROGRAM DEVELOPMENT GUIDE FOR HEALTH CARE ORGANIZATIONS

Labour Management Partnerships Program
Human Resources Development Canada

The Staff Abuse Task Force, originally established in 1991, studied the issue of abusive situations and/or incidents in the workplace and made recommendations with respect to the identification, training, prevention and management of these situations. The initiative brought together employee, management and professional representatives of Alberta's health care industry. A first guide was distributed to Alberta health care providers in 1993.

As a result of renewed interest in this area, the program initiative was revisited in 1998. The group is now called the Staff Abuse: Prevention and Management Initiative and is still composed of employee, management and professional representatives of Alberta's health care industry. A revised manual, published in May 2000, includes updated research on the topic of staff abuse as well as updated sample policies and procedures.

That manual, Abuse in the Workplace—Program Development Guide for Health Care Organizations, is part of a comprehensive program that also includes a practical handbook to assist employees and managers on a day-to-day basis and a pamphlet for health workers. This case study is adapted from the May 2000 guide.



Definition of Abuse

Abuse is defined as any behaviour such as:

- physical assault or aggression; or
- unsolicited and unwelcome conduct, comment, gesture or contact that causes offence or humiliation; or
- physical harm to any individual that engenders fear or mistrust, or that compromises and devalues the individual.

Abuse includes, but is not limited to, harassment. It can come from anyone in the workplace and be directed at anyone. It can be subtle or overt. Abuse may be deliberate or unintended. The test is whether a reasonable person knows, or ought to know, that the behaviour would be considered unwelcome or inappropriate by the recipient. It may be a single event or may involve a continuing series of incidents. It may involve the abuse of authority or position or it may involve relations among peers, visitors, patients/clients/residents and affiliated personnel. Abuse can victimize both men and women, and may be directed by or toward employees, medical staff, students, volunteers, patients/clients/residents and members of the public.

Recognizing the Problem

Staff abuse is recognized as a serious threat to organizational success. Two provinces in Canada, British Columbia and Saskatchewan, have occupational health and safety legislation that requires employers to have a violence prevention program in place. Organizations in other provinces are not legally required to address this issue through workplace policies. Health and safety legislation assists employers in being proactive in approaching the issue of abuse.

In 1993, the issue of workplace abuse in the health care sector tended to focus on physical assault; however, verbal and psychological abuse are increasingly recognized as equally destructive to the functioning of an organization. Abusive behaviour in the workplace has been found to be destructive to the work environment.

For the victim, abuse can result in anger, depression, guilt, self-doubt about competency, anxiety and post-traumatic stress disorder-type symptoms. Abuse can be damaging for other workers as well as for the victims; staff may no longer feel safe and comfortable at work. This may lead to lost productivity and decreased work performance. Overall, employee morale may drop and the reputation of the organization may be jeopardized. Recruiting and retaining staff may become more challenging.

Awareness and Education

Recognizing the existence of workplace abuse in an organization is a first step toward developing solutions and strategies to address the problem. An increase in awareness is usually accompanied by a decrease in tolerance for incidents of staff abuse.

Education to increase awareness is a key function in eliminating abuse. Many employees are not familiar with their organization's policies on abuse. Increased knowledge of these policies and procedures assists in mitigating the stress as a result of an incident.

Some components of an effective education and training program include:

- clarifying roles and responsibilities;
- educating staff about reporting procedures;
- training crisis intervention/victim support personnel (where appropriate);
- training and education of those charged with investigating incidents;
- communicating with other agencies such as police and community and social services;
- increasing employee awareness regarding rights and available assistance; and
- increasing awareness of applicable legislation and the organization's policies and procedures. Employees familiar with their organization's policies gain confidence in dealing with potentially abusive patients/clients/residents.

Who Is Affected

Although all areas of health care are affected, the risk is highest for emergency, psychiatric, long-term care and community care workers. Home care workers are at particularly high risk because of the nature of their work environment. Staff in extended care facilities may also be at risk of assault from residents. Nursing aides provide a large percentage of the personal care in long-term care facilities, but few have the skills to deal with the behavioural problems associated with cognitively impaired patients/clients/residents.

Staff with the closest proximity to patients/clients/residents are the most likely to be abused. Staff with a perceived low level of job responsibilities may also be at greater risk as they may receive less respect from clients. Abuse is often preceded by long waits for treatment or may be associated with treatment that the patients/clients/residents find unpleasant.

Prevention: Risk Assessment and Risk Management

There is no question that prevention is preferable to intervention. But prevention is not easy, given the varied levels, types and sources of abuse in the workplace. How can an organization create an environment that discourages all forms of abusive behaviour?

Before an organization develops a prevention program, it needs to do a careful analysis and evaluation of the current risks of staff abuse. Consideration should also be given to existing mechanisms the organization has established to address this issue.

Risk Assessment

Risk assessment can be considered a logical and organized method to identify and quantify risks. To manage the issue of abuse, each organization must determine, within the boundaries of its workplace, the nature and extent of the problem. A number of factors need to be considered: the staff, the sources of abuse, the work processes and physical environment, and the level of organizational commitment to the prevention of staff abuse. Within each of these factors are a number of variables, which, when analyzed, will identify:

- any component of the environment that may increase opportunities for abuse;

- those individuals at high risk; and
- the need for controls.

Risk Management

Environmental factors may precipitate assaultive behaviour. The likelihood of assault is reduced when:

- there is employee understanding of the organization's commitment to prevention of staff abuse;
- a patient's/client's/resident's potential for assault is thoroughly assessed;
- an emergency response team is provided as needed; and
- there is a prompt and appropriate response to a reported incident of abuse.

Developing Policies and Procedures

Having clear policies and procedures in place creates a supportive work environment where abuse is not tolerated. Organizational support for a staff abuse program, including the development and implementation of written policies, forms the foundation from which to address this problem.

The development of a policy on staff abuse requires input from a broad cross-section of the organization's stakeholders. External expertise may also be of assistance. The group should develop recommendations for the policy and associated programs to suit the particular work environment. Occupational health and safety committees may already be in place and may be considered an appropriate structure to deal with this issue.

The process of policy development may be as meaningful as the outcome. The process itself can lead to enhanced awareness, increased understanding and heightened support for the program. A program that is developed internally and responds to the unique needs of the organization is the most likely to gain general acceptance.

The procedure, as distinguished from the policy itself, outlines the method or processes required to operationalize the policy. The procedure will vary considerably from organization to organization, depending upon size, role and local conditions. The procedure component should include the following basic information:

- right to assistance;
- steps prior to formal reporting;
- formal reporting;
- no recriminations;
- investigation;
- disposition of the complaint;
- confidentiality;
- evaluation; and
- complaint resolution alternatives.

Roles and Responsibilities

Senior administration, employees, employee representatives, and occupational health and safety committees are all responsible for maintaining a safe and secure work environment. The responsibilities of staff members, physicians, hospital affiliates and patients/clients/residents in ensuring that everyone is protected from abusive behaviour should be clearly identified.

In Alberta, it has been established as a legal precedent in Canada that organizations and their chief executive officers may be prosecuted for *Occupational Health and Safety Act* violations. Section 2(1) of the *Act* states that

> Every Employer shall ensure, as far as it is reasonably practicable for him to do so, (a) the health and safety of: (i) workers engaged in the work of that employer and (ii) those workers not engaged in the work of that employer but present at the work site at which that work is being carried out, and (b) that the workers engaged in the work of that employer are aware of their responsibilities and duties under the Act and the regulations.

The Alberta *Human Rights, Citizenship and Multiculturalism Act* holds an organization responsible for preventing sexual harassment in the workplace, as it constitutes discrimination on the basis of sex.

Ontario's Guidelines for the Development of Hospital Policies on Managing Abuse

The **board should ensure** that senior management, in conjunction with the appropriate committees:

- acknowledges the potential risk of abuse in the health care setting;
- recognizes the negative impact that an incident of abuse may have on the individual and the organization;
- ensures that patients, staff and hospital affiliates are provided with a safe and secure environment and are protected from abusive behaviour;
- develops a statement(s) of philosophy and a definition of abuse (in conjunction with staff, hospital affiliates and unions, where appropriate) which will form the basis of policy development and orientation/training of staff, hospital affiliates and patients;
- develops or approves policies which clearly identify the staff, hospital affiliates, patients and visitors that abusive behaviour will not be tolerated;
- develops or approves policies and/or procedures for reporting mechanisms and protocols for the prevention, identification, analysis and follow-up of abuse incidents;
- develops comprehensive security measures and systems that prevent/reduce incidents of an abusive nature, and re-evaluate these systems continually;
- ensures that staff, hospital affiliates and patients are aware of their rights and responsibilities in relation to abuse and are aware of the hospital's abuse policies;
- ensures the implementation of an ongoing staff training program (appropriate/relevant to the facility) to assist staff in managing abusive behaviours;
- takes or supports appropriate corrective action when a staff [member]/hospital affiliate is found to have committed an act of abuse, including appropriate post-incident support/counselling;
- designates an individual(s) to ensure that the abuse program is effective and responsive to the needs of patients, staff, hospital affiliates and visitors, and who is selected and provided with appropriate training and institutional support; and
- communicates and liaises with community and local law enforcement agencies regarding issues concerning abuse and violence.

Source: Hospital Policies on Managing Abuse: Roles and Responsibilities of Hospital Boards, The Ontario Hospital Association (1995).

Intervention and Follow-up

Management of abusive incidents is as critical as efforts toward prevention. Incidents need to be documented, investigated and remedied as effectively as possible, to mitigate further damage and cost to the organization. Intervention must be timely and must address the rights and responsibilities of both the victim and the alleged abuser. Post-assault stress among employees and patients/clients/residents can result in escalation in the number of cases of abuse. Organizations should review their policies and procedures following an incident to ensure they adequately address any potential abusive situation. Employees should be encouraged to assist in the review, and in the subsequent development or revision of such policies.

Legal Environment

Awareness of the legal environment is critical. Incidents of abuse can leave an organization open to legal liability, ranging from health and safety complaints to civil suits. The legal environment includes legislation and common law and also a collective agreement where relevant or personal employment contract, which provide a legal framework for dealing with many workplace issues.

Staff members must know the pros and cons of pressing charges, must know how to initiate legal procedures and must be aware of what happens once the legal system becomes involved in the incident. Filing charges against abusive patients/clients/residents has been suggested as an aid to prevention of future abuse. It is recommended that the organization consider assisting the victim in filing charges against abusive patients/clients/residents.

Program Evaluation

The success of a workplace abuse program involves not only the implementation of the program but also an ongoing evaluation. The program must be monitored to ensure objectives are being met. As demographics within the organization change, the risks of abuse may change, and the program must be responsive.

Conclusion

A staff abuse prevention program in any organization must recognize and work within the prevailing legal climate. Health organizations should apprise themselves of the legal and ethical issues associated with intervention programs and prosecution of assailants, and ensure that the program addresses them.

The organization should:

- develop a staff abuse program;
- develop clear policies for determining when legal action will be initiated;
- file charges against abusers in a consistent manner where there are bona fide reasons for doing so and where it is appropriate; and
- maintain thorough and objective information gathering and assessment practices to ensure that when decisions to take action are made, they are based upon accurate information and will provide a solid basis for justification in the legal venues.

For more information, visit the Staff Abuse Prevention and Management Initiative at < http://www.phaa.com/sapm/index.html >.

The views and opinions expressed in this document do not necessarily reflect the position of the Labour Program, Human Resources Development Canada.

The project was made possible by financial assistance from the
Labour-Management Partnerships Program,
Federal Mediation and Conciliation Services,
Labour Program, Human Resources Development Canada.

Telephone: (819) 994-5470 or 1-800-563-5677
Web Site: http://labour-travail.hrdc-drhc.gc.ca/sfmc_fmcs/index.cfm/english

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HONOURING CANADA'S BEST IN DISABILITY MANAGEMENT

National Institute of Disability
Management and Research

> *The rising incidence of employees becoming disabled and unable to work is estimated to be costing Canadian businesses about $11 billion per year. "Invisible disabilities" such as stress, depression and addiction are taking an added social and economic toll on business in Canada and other developed nations. In many industries, such as health care, which are already facing a shortage of skilled workers, there are vast social and financial benefits to be gained by reintegrating people with disabilities back into the workforce.*
>
> *The Honorable Claudette Bradshaw*
> *Minister of Labour*

The 2nd Annual National Awards of Excellence in Disability Management were held in Vancouver on May 28, 2002. The awards program was established by the National Institute of Disability Management and Research in collaboration with major Canadian business, labour and government organizations.

The National Awards of Excellence in Disability Management were created to focus attention on the successes of disability management programs across Canada. Award winners and finalists offer inspiration and cutting-edge, best-practice examples to organizations looking to develop new disability management programs or improve existing ones.

These Programs:

- demonstrate executive leadership and vision;
- involve creativity, collaboration and commitment;
- are based on consensus between labour and management;
- provide injury prevention, rehabilitation and safe, early return to work; and
- reduce the human and economic costs of disability.

Award Categories And Winners:

- ***Small Private Organization/Workplace***
  Chemainus Sawmill Unit
  Weyerhaeuser - Chemainus, British Columbia
- ***Large Private Organization/Workplace***
  J.D. Irving Limited
  Saint John, New Brunswick
- ***Crown Corporation/Government Agency***
  Health Care Corporation of St. John's
  St. John's, Newfoundland and Labrador

  Ontario Power Generation
  Toronto, Ontario
- ***Public Service Initiative***
  Workers' Compensation Board of
  Northwest Territories and Nunavut
- ***Return to Work Coordinator/Disability Management Professional***
  Marg Creen, DM Consultant, Manulife
  Toronto, Ontario

  Trudy Langthorne, Canfor
  Prince George Pulp and Paper
  Prince George, British Columbia

  David Moorhouse
  Council of Trade Unions, BC Rail
  Vancouver, British Columbia

  Dave Pearce, IWA-Canada
  Canfor - Fort St. John, British Columbia
- ***Outstanding Public Leadership***
  University of Northern British Columbia
  Prince George, British Columbia

2002 International Forum on Disability Management

The National Institute of Disability Management and Research has organized the world's first forum on disability management, which was held in Vancouver from May 27 to 29, 2002. The Institute is an education, training and research organization with a primary focus on the implementation of workplace-based reintegration programs, which research has shown are the most effective way of restoring and maintaining workers' abilities, while reducing costs of disability for workers, employers, governments and insurance carriers.

This international forum marked the start of a planned series of conferences that will move to the Netherlands in 2004 and Australia in 2006. It brought together key government, business and labour leaders, together with senior representatives from the disability management provider communities, practitioners and persons with disabilities.

Co-chaired by Brian Payne, President of Communications, Energy and Paperworkers Union of Canada, Ottawa, and Steve Hill, Senior Vice-President, Human Resources, Weyerhaeuser, United States, the forum drew over 400 participants from a dozen countries.

Setting the stage for the conference were the welcoming remarks of the Honourable Iona Campagnolo, Lieutenant-Governor of British Columbia, followed by thought-provoking comments from the forum's Honorary Chair, the Honourable Claudette Bradshaw, Minister of Labour for Canada.

Minister Bradshaw outlined the results of a recent survey of employment conditions for persons with disabilities: "...representation of persons with disabilities by federally regulated private sector employers was 2.3 per cent, while they accounted for only 1.0 per cent of all new hires and 2.0 per cent of all promotions."

Speaking about the International Labour Organization's newly released *Code of Practice* on Managing Disability in the Workplace, Minister Bradshaw articulated what emerged as the forum's dominant theme: "Our challenge now is to convert words into action. We all know that the best framework won't do a thing unless employers and unions across Canada adopt the *Code*'s principles and take action."

Echoing Minister Bradshaw's call to action was Walter Riester, Minister of Labour and Social Affairs for the Government of Germany. Together with senior representatives of German industry, labour and insurance, Minister Riester was instrumental in offering leadership, as well as legislative and practical solutions, to the universal challenge of effective reintegration for persons with disabilities. He was eloquent in stating that it should be self-evident that people with disabilities or threatened by disability would participate in working life and society as a whole: "But for the people concerned, it is not at all an automatic reality, but something that has to be practically achieved again and again with reflection, a combination of different solutions and a lot of willpower and energy."

While emphasizing the social values of the *Code of Practice*, Minister Riester also highlighted the economic contribution of effective reintegration programs: "[The Code] is also based on evidence that enterprises may gain from the retention of experienced workers who become disabled, and on indications that, under certain conditions, significant savings can be made in terms of health costs, insurance payments and time lost."

This groundbreaking forum focused on cost-effective solutions, leading-edge research and statutory models forming balanced win-win outcomes. Participants heard about the economic and social results demonstrated by effective disability management programs around the world. The quest for transferable solutions, resulting in measurable outcomes for both employers and workers, was what prompted the participation of key stakeholders.

This is perhaps best reflected in an observation by Shelly Wolff, Program Leader, Disability Programs, General Electric Company, who said, "I learned a great deal from many of the presenters and of course most importantly made several networking contacts that will assist me as I continue my work for both General Electric and the industry here in the United States."

Dr. Friedrich Mehrhoff, Director, Rehabilitation and International Relations, German Federation of Workers Compensation Boards, summed up the international dimensions of the forum: "Our goal was to initiate a global platform for stakeholders dealing with work retention strategies and to integrate politicians, employers, unions and insurers...all conference participants noticed a common sense of being on the right way and enforcing the movement of disability management worldwide."

For more information contact:

National Institute of Disability Management and Research

Telephone: British Columbia (250) 724-4344
or Ontario (613) 260-2951

Fax: (250) 724-8776
Website: www.nidmar.ca

National Institute of Disability
Management and Research

OLDER WORKERS IN THE LABOUR MARKET—EMPLOYMENT CHALLENGES, PROGRAMS AND POLICY IMPLICATIONS

Forum of Labour Market Ministers
Human Resources Development Canada

Canada, like most Organization for Economic Co-opération and Development countries, has an ageing worker-age population. Over the next 10 years, the number of Canadians 55–64 years of age will grow by more than 50 per cent. It is anticipated that older workers will continue to have lower employment rates than younger workers and assume an even more important role in the labour market and Canada's continued economic prosperity.

While Canada's ageing population continues to grow, there has been a downward trend in the participation rates of older workers in Canada's workforce. Similarly, fewer younger workers (15–24 age group) are entering the labour market.

The report was undertaken to help policy makers to better understand how older workers are adjusting to the labour market.

This report examines two groups of older workers, 45–54 and 55–64 years old, from 1976 to 1998. It found that 55–64 year olds generally: experience greater labour market difficulties since they are concentrated in traditional industries, many of which experienced zero or negative growth; have non-transferable skills and have held jobs requiring limited qualifications, low levels of education and training; and look for jobs that offer similar wages to those they used to receive. The research also found that employers prefer to hire younger workers.

Between 1976 and 1998, the situation of those aged 55–64 deteriorated: they experienced decreases in labour force participation and employment rates, and recorded above average increases in unemployment, particularly long-term unemployment. Research done in support of this report indicates that:

- Older workers' participation rates in the workforce declined from 54 per cent in 1976 to 49 per cent in 1998. In contrast, there was an increase—from 76 per cent to 86 per cent—recorded by 25–44 year olds during this same time period.
- Older workers' employment rate mirrored the change in their participation rates, and fell from 51 per cent in 1976 to 45 per cent in 1998.
- With respect to unemployment rates, the comparative labour market advantages of older workers dropped considerably. In 1976, workers aged 55–64 had the lowest unemployment rate (4.2 per cent) of all age groups, but by 1998, it was 6.9 per cent, and was close to the 7.1 per cent unemployment rate of 25–44 year olds.
- Long-term unemployment (greater than 52 weeks) increased significantly across all age groups, but older workers had the largest increase, from 4.0 per cent in 1976 to 17 per cent in 1998.

The report identifies several barriers to hiring older workers, including: lack of job search skills, high wage expectations, employer bias, lack of education and training, lack of mobility, and geographic location. It states that the most effective means of preventing older workers' premature withdrawal from the labour force is lifelong learning.

To address the challenges faced by older workers, which vary significantly across the country, the report finds that the most successful approaches are those that are flexible, consistent with local and provincial labour market conditions, and easy for eligible workers to access.

The report indicates possible interventions designed to facilitate the labour market adjustment of older workers, including: employment maintenance, easing the transition from work to retirement, facilitating the re-employment of laid-off workers, and providing income support.

It indicated that significant differences exist in the characteristics of older workers of tomorrow (who are currently aged 45–54) and those of today, which may improve their employability in terms of job retention and reintegration into the labour market. The older worker of tomorrow will possess higher levels of education, will have changed jobs many times during their career and will have greater experience in adapting to technological change. Moreover, they will be more willing to participate in training and development activities.

Older workers have ready access to federal, provincial and territorial labour market programs. Individual governments continue to explore options to help older workers and have agreed, under the Forum of Labour Market Ministers, to work together on labour market issues of mutual concern. For example, in June 1999, the Government of Canada committed $30 million to the Older Workers Pilot Projects Initiative to test innovative approaches that help older workers remain employed or reintegrate in the labour market. The pilot projects are designed and delivered by the provinces and territories and can be in operation for up to two years. Thus far, agreements have been reached with Newfoundland and Labrador, Nova Scotia, Quebec, Saskatchewan, British Columbia, Yukon, Nunavut, and the Northwest Territories. Some other jurisdictions have indicated their intention to participate in the Initiative.

For more information and a copy of the full report,
visit the Web site at

http://www.hrdc-drhc.gc.ca/sp-ps/lmp/owe_toc.shtml

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OLDER WORKERS AND THE AGING WORKFORCE

JP Surette
Communications, Labour Program
Human Resources Development Canada

There has been much discussion about a looming labour shortage in Canada. That, along with a strong economy, has prompted Canadian businesses to explore relatively untapped"pools" of labour. One of those segments is older workers.

- **How are older workers treated in Canada?**
- **Does age discrimination exist?**
- **Do employers have provisions in their collective agreements that specifically pertain to older workers?**

These questions and many more are answered in a study on older workers and the aging workforce entitled ***Collective Agreements and Older Workers in Canada***.

Conducted by the Labour Program of Human Resources Development Canada, the report is part of a series of studies undertaken to track information and conduct research on the changing workplace, changes in the nature of work itself, as well as on the impact of these changes. In the spring of 2001, the first study in this comprehensive series, *Work and Family Provisions in Canadian Collective Agreements*, was completed. This initial study carefully examined collective bargaining provisions related to balancing work and family responsibilities.

Collective Agreements and Older Workers in Canada

Canada

These studies aim to help employers, union representatives, labour practitioners and researchers develop a better understanding of current workplace practices. It is not only helpful because it is immediately applicable to the unionized Canadian workforce, but it should also be noted that historically, employers in non-unionized firms have often based their human resource policies on the collective agreements of unionized firms.

The aging workforce study identifies and analyzes provisions contained in over 400 Canadian collective agreements. For the purposes of this research an "older worker" is defined as an employee aged 45 or over, unless otherwise specified. Each of the six chapters deals with a particular set of provisions including:

- clauses that have an impact on older workers through work-time organization, including shift work, flexible work-time, overtime and voluntary work reduction;
- leaves of absence—annual vacations, sick leaves and special leaves;
- various types of training, retraining and education, as well as funding schemes;
- job and wage protection for older workers, seniority provisions, as well as various job security and income-related provisions;
- age-based discrimination;
- measures designed to ease the passage from full-time employment to complete retirement, including pre-retirement leaves, retirement preparation programs and phased retirement.

The projected shortage of sufficient job market entrants and the growing need for experienced, skilled workers may motivate employers to retain the services of older workers beyond the normal age of retirement. Most human resource management practices and policies will have to take into account and address some of the specific needs of older workers.

An increasing number of companies are scouring the Canadian labour market to make better use of under-utilized groups, and older workers are becoming more and more valuable for their skills and experience.

For more information on the older workers study and the rest of the series, visit

http://labour-travail.hrdc-drhc.gc.ca/worklife

TRANSITION TO RETIREMENT

Marc Gervais and Michel Fourzly
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This article is based on contract clauses found in major Canadian collective agreements covering 200 or more employees in sectors under federal jurisdiction and 500 or more employees in sectors under provincial jurisdiction. Relevant provisions were identified and statistics compiled from the Workplace Information Directorate's Collective Agreement Information Retrieval System database. Negotech, an electronic document dissemination system that includes contract summaries as well as full-text collective agreements, was used in order to identify specific examples and clauses. Because the Directorate's database was under review at the time of analysis, the statistics presented in this article are based on agreements that were in effect in January 1998. This database included 1,077 agreements covering 2,244,122 employees. Although the statistics are based on 1998 data, efforts were made to quote examples from contract clauses taken from the most current collective agreements.

Introduction

The transition from full-time employment to complete retirement is an important step in a person's life. A large number of collective agreements contain clauses pertaining to older employees nearing retirement. In general, their primary purpose has been to encourage early retirement by offering various financial incentives. However, in the current employment context, characterized by a shortage of skilled workers and a rapidly ageing workforce, many agreements now focus on ways and means of retaining older employees or facilitating their transition to retirement.

The need to prepare for retirement has been recognized by employees and employers as well as by union representatives. In order to do so, older employees may require more time off work to make necessary arrangements and, more importantly, to adjust progressively to a new life stage where work will play a much smaller role. Some may also find counselling services and retirement preparation workshops or seminars to be useful.

Given a choice, many older employees, for a number of reasons, would like to gradually reduce their workload rather than end their career in an abrupt fashion. Other employees would like to put off retirement and continue working full-time beyond the normal retirement age or reduce their hours to part-time. Phased retirement programs can accommodate these needs. However, older employees who opt to reduce their working hours, as well as those who opt to work beyond the normal retirement age, need to carefully consider the impact of such decisions on their benefits coverage.

Although many measures to prepare for retirement may be established informally or through an employer policy outside the purview of collective bargaining, a number of collective agreements include specific measures designed to facilitate the transition to retirement. These measures include (a) a variety of pre-retirement leave and vacation provisions intended for older employees, (b) pre-retirement counselling and financial programs offered by employers and (c) gradual retirement and post-retirement-age work options, including deferred retirement and work after retirement.

— This article is an excerpt of a study report entitled *"Collective Agreements and Older Workers in Canada"* by Michel Fourzly and Marc Gervais. Chapter 6 of the aging workforce study identifies measures designed to ease the passage from full-time employment to complete retirement, including pre-retirement leaves, retirement preparation programs and phased retirement. The full document is available at < http://labour-travail.hrdc-drhc.gc.ca/worklife >.

Pre-retirement Leave and Vacations

Pre-retirement leave or vacations can help ageing employees prepare for retirement and facilitate the work-to-retirement transition, by providing them with a "retirement rehearsal" before leaving their jobs.[1] In January 1998, roughly 6.5 per cent of major Canadian collective agreements covering 9.2 per cent of employees (206,797) provided pre-retirement vacations. These clauses vary greatly, ranging from granting regular vacation entitlements for the final calendar year of service when service is interrupted to granting a one-year paid leave of absence. Some include various schemes involving such benefits as vacation entitlements, sick leave credits, sick pay gratuities as well as superannuation allowances. The duration and requirements of pre-retirement leaves also vary from one agreement to the next. However, eligibility usually depends on the employee's age, years of service or a combination of both.

In the absence of clear language in the agreement to the contrary, employees who leave their employment before the completion of the vacation year are entitled only to a pro-rated portion of vacation pay benefits. If a departing employee is to receive his or her full year's vacation pay benefits, this must be expressly stated in the agreement,[2] as is the case with the following examples.

Simon Fraser University and **Canadian Union of Public Employees (1999–2002):** "On normal or early retirement taken in accordance with the terms of the Pension Plan for Members of the Administrative Staff, each employee shall be entitled to the same vacation which she/he would have had if she/he had continued working to the end of the calendar year."

Government of British Columbia and **B.C. Government and Service Employees' Union (2001–2004):** "An employee scheduled to retire and to receive a superannuation allowance under the *Pension (Public Service) Act* or who has reached the mandatory retiring age, shall be granted full vacation entitlement for the final calendar year of service."

However, some agreements grant retiring and soon to retire employees an additional week's vacation as a pre-retirement leave.

Ontario Housing Corporation and **Canadian Union of Public Employees, Local 767 (2000–2002):** "An employee who has completed twenty or more years of continuous service is entitled to receive, in the year ending with the end of the month in which s/he attains the age of sixty five (65) years, five (5) days vacation leave of absence in addition to his/her normal vacation entitlement (...), such time to be considered as pre-retirement leave."

York University and **York University Staff Association (2000–2002):** "An employee will be entitled to an extra week's vacation, once, to be taken prior to retirement where the employee has either a) attained the age of sixty (60) and where age plus service equals eighty (80); or b) attained the age of fifty-five (55) and where age and service equals eighty (80) and that employee has officially notified the University of their intention to retire prior to age sixty (60)."

Some agreements allow senior employees to bank vacation time during the years leading up to retirement and use it as pre-retirement vacation.

Lake Erie Steel Company Limited and **United Steelworkers of America, Local 8782 (2000–2004):** "An employee with twenty-two (22) or more years of service will be entitled to defer up to two (2) weeks of his/her annual vacation entitlement per year – up to a maximum of eight (8) weeks – to be taken as pre-retirement vacation immediately prior to his/her retirement date."

Champion Road Machinery Limited and **International Association of Machinists and Aerospace Workers (1998–2002):** "Employees with a minimum of four (4) weeks vacation and at least 50 years of age may bank weeks in excess of three (3) weeks vacation entitlement for use prior to retirement."

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[1] Malcolm H. Morrison, The Transition to Retirement, Washington: Bureau of Social Science Research, 1985.

[2] Jeffrey Sack and Ethan Poskanzer, Contract Clauses: Collective Agreements Language in Canada, 3rd Edition, Toronto: Lancaster House, 1996–2001.

At least one agreement allows employees to use all or part of their banked overtime hours as a pre-retirement leave.

Ottawa-Carleton Regional Transit Commission and **Amalgamated Transit Union, Local 279 (1999–2002):** "Any banked hours (…) may, at the discretion of the employee, be used [as]: (…) A pre-retirement leave bank, in which the employee may place all or part of the banked overtime hours. When transferred, each hour will be credited into the retirement leave bank as an hour and a half. All remaining hours in the overtime bank will be paid out to the employee in a lump-sum prior to the end of the calendar year, at the rate of one and a half times the employee's job classification rate. Hours in an employee's pre-retirement leave bank may, at the discretion of the employee, be used to advance the employee's departure from active employment prior to his or her official retirement date or be paid out in cash at the actual time of retirement."

Other agreements grant a certain amount of days off for each completed year of service. Employees are usually given the choice of taking the time off or requesting a lump-sum payment.

Halifax Regional Municipality and **Nova Scotia Union of Public Employees, Local 13 (1997–2001):** "All employees, after ten (10) years of continuous, permanent service with the employer, shall, upon retirement under any of the provisions of the pension plans of Halifax Regional Municipality, be entitled to receive a pre-retirement leave with pay computed on the basis of three (3) calendar days for each completed year of service with the employer, up to a maximum of ninety (90) days at the rate of the current salary. An employee entitled to receive pre-retirement leave may choose to work all or a portion of the pre-retirement leave period and, where such a choice is made, shall receive a lump-sum payment for any entitlement not taken as leave."

Deer Lodge Centre Inc. and **Public Service Alliance of Canada (1998–2002):** "Full-time employees retiring in accordance with the provisions of the Centre's group pension plan whether or not enrolled in the pension plan, shall be granted paid pre-retirement leave on the pro-rated basis of four (4) days per year of continuous employment. (…) Payment shall, at the option of the employee, be made in a lump-sum or as a continuation of salary until the scheduled retirement date."

Regional Health Authorities of Manitoba and **Manitoba Association of Health Care Professionals (1999–2003):** "Employees retiring due to normal retirement age, or in accordance with provisions of the Employer's group pension plan, shall be granted paid pre-retirement leave on the basis of four (4) days per year of employment."

At least one agreement grants a pre-retirement leave of one week in the fiscal year in which the employee meets the age and service requirements for such leave, and in up to five fiscal years thereafter.

Canada Post Corporation and **Canadian Union of Postal Workers (2000–2003):** "In addition to vacation leave provided for under this agreement, a regular employee who attains fifty (50) years of age and completes twenty (20) years of continuous employment or, attains sixty (60) years of age and completes five (5) years of continuous employment, shall be entitled to be paid a pre-retirement leave of one (1) week in the fiscal year in which he or she becomes eligible for such leave and in every fiscal year thereafter until the employee's retirement up to a maximum of six (6) weeks pre-retirement leave from the time of eligibility until the time of retirement. An employee may elect to take her or his fifth (5th) and sixth (6th) weeks of pre-retirement leave during the same year."

Many agreements contain contract clauses detailing potentially longer pre-retirement leaves. However, these are not always paid and they may or may not include benefits.

Vancouver Community College and **Vancouver Community College Faculty Association (1998–2001):** "In order to allow an instructor nearing retirement age to prepare for retirement, (…), an instructor shall be granted a leave of absence of between three (3) and twelve (12) consecutive months. (…). Retirement preparation leave shall be unpaid, but shall carry with it the following benefits: medical, extended health, group life, and dental insurance benefits; provided the instructor elects to continue to pay the instructor's portion of pension contributions and is given permission to do so by the Superannuation Commission, the College shall continue to make its payments for the entire duration of the leave; a stipend of $1,000 per month for full-time instructors and pro-rata for part-time instructors and instructors on part-time leave; instructors taking Retirement Preparation Leave may opt for the continuance of short and long-term salary indemnity by payment of the necessary premiums."

Comité patronal de négociation pour les commissions scolaires francophones and **Syndicat des employés et employées professionnels-les et de bureau (FTQ), Local 57 (2000–2002):** "In order to reduce the number of employees on layoff, the commission shall, with the agreement or at the request of the employee, grant pre-retirement leave, under the following terms and conditions: 1) the pre-retirement leave is a leave with pay for a maximum duration of one (1) year (...); 3) only employees who would have been entitled to retire at the end of the leave and who would not have been entitled to full retirement during the leave are eligible; 4) at the end of the leave with pay, the employee is deemed to have resigned and is retired; 5) the leave allows a reduction in the number of permanent employees on layoff." *[Translation]* This pre-retirement leave provision was negotiated as a means of reducing the number of surplus employees.

Many agreements with pre-retirement leave provisions have mechanisms that allow employees to use their accumulated sick leave credits or sick pay gratuities as a retirement preparation leave.

Government of Quebec and **Syndicat de la fonction publique du Québec (2000–2002):** "An employee who opts for permanent, full retirement may, (...) choose (...) full pre-retirement leave, the duration of which is equal to a portion of accumulated sick leave and, at the same time, offsetting benefits corresponding to half of unused sick leave credits; the offsetting benefits shall in no case exceed sixty-six (66) days' gross salary (...)." *[Translation]*

Government of Yukon and **Yukon Teachers' Association (2000–2003):** "An employee who retires from the Public Service and who is eligible for an immediate annuity or an immediate allowance as defined under the *Public Service Superannuation Act* may convert up to a maximum of thirty-three and one-third per cent (33 1/3%) of the total earned but unused sick leave credits, to a maximum of three-hundred (300) hours, to be paid pre-retirement leave. Such pre-retirement leave shall be taken during the period immediately prior to the employee's effective date of retirement. An employee may elect to receive an equivalent cash payout in lieu of pre-retirement leave."

Toronto Police Services Board and **Toronto Police Association (1999–2001):** "A member may use up to six months of his/her sick pay gratuities in time rather than in pay, immediately prior to retirement. (...) The member may also decide to take a portion of his/her sick pay gratuity in time and the remainder in lump-sum payment."

Finally, at least one agreement allows employees to take their retirement pay or allowance as a pre-retirement leave of absence.

Government of British Columbia and **B.C. Government and Service Employees' Union (2001–2004):** "Upon retirement from service, an employee who has completed 20 years of service with the Employer, and who under the provisions of the *Pension (Public Service) Act* is entitled to receive a superannuation allowance on retirement, is entitled to an amount equal to their salary for one month, and for each full year of service exceeding 20 years but not exceeding 30 years, is entitled to an additional amount equal to one-fifth of their monthly salary. The employee may opt to take the allowance as equivalent paid leave of absence to be taken immediately prior to retirement."

Retirement Preparation Programs

In January 1998, clauses pertaining to counselling services appeared in 13.4 per cent of major Canadian collective agreements covering 19.2 per cent of employees (431,601). Some programs offer help to workers nearing retirement in areas such as health care, financial planning, housing arrangements, life adjustments, legal matters, organization of leisure time and job finding skills for a second career. These may help older employees prepare for new challenges while alleviating possible anxiety.

Contract clauses offering a pre-retirement counselling program or seminar are relatively short and provide few details. In almost all cases, however, these provisions stipulate that this service will be financed and, whenever possible, provided by the employer.

Irving Paper and **Communications, Energy and Paperworkers Union of Canada, Local 601 (1999–2005):** "The company agrees to provide, at no cost to the employee, a pre-retirement counselling program."

Canadian Forest Products Limited and **Pulp, Paper and Woodworkers of Canada (1997–2003):** "The Company will provide a pre-retirement counselling program. The Company will involve the Union in the design of the program."

General Electric Canada Inc. and **Communications, Energy and Paperworkers Union of Canada (2001–2004):** "The Company undertakes to provide within a six (6) month period, a pre-retirement information program for employees aged 55 or older. In the event that the program is not delivered as part of a group program, the Company shall then, with prior approval, reimburse the employee and/or his/her spouse for the registration fees charged for such a program offered by a public body (...)." *[Translation]*

Some agreements specifically state the nature of the counselling service to be offered (e.g. financial).

Concordia University and **Concordia University Faculty Association (1998–2002):** "Members who retire in accordance with the retirement plans in Article 42 [Retirement] shall be provided with financial counselling."

Government of Nova Scotia and **Nova Scotia Government Employees' Union (1997–2000):** "The Employer will arrange financial counselling for employees who express interest in accepting an Early Departure Incentive Plan (EDIP) severance payment. This counselling will be arranged as soon as reasonably possible. The cost of the financial counselling shall be borne by the Employer, payable to an approved service provider."

Phased Retirement

Phased retirement is broadly defined as any program allowing for gradual decreases in working time and workload instead of an abrupt move from full-time employment to retirement.

Phased retirement may take one of two forms: a pre-retirement gradual reduction in hours (or days) of work or post-retirement part-time work for pensioners who wish to remain employed.

From the employers' point of view, phased retirement programs can be useful to retain older skilled employees who would otherwise retire (especially in sectors where there is a shortage of entry-level job applicants), to reduce labour costs, or to arrange the training of new hires by older employees. They also allow employers to plan attrition.

Phased retirement can also be beneficial for older employees. It helps them to gradually ease into retirement while maintaining a higher income than they would receive if they relied on their pension alone.

Gradual Retirement (Pre-Retirement)

Increasingly, collective agreements contain pre-retirement or gradual retirement programs. The requirements and conditions of these programs, as well as their impact on benefits, vary from one agreement to the next. The period of time preceding retirement within which an employee can reduce his or her workload also varies. This period may range from one to five years.

The following contract clauses highlight these variations.

Government of Quebec and **Syndicat de la fonction publique du Québec (2000–2002):** "This retirement is characterized by the fact that the employee, for a minimum of one (1) year and a maximum of five (5) years immediately preceding his permanent, full retirement, may work part-time according to a predetermined schedule and subject to the conditions of work applicable to part-time employees. The phased retirement may involve a decreasing number of hours worked per week, to a minimum of fourteen (14) hours. During this period, the number of hours in the employee's new work-week becomes his guaranteed week. For retirement planning purposes, full recognition is given to service during the phased retirement. The cost of this measure is shared equally between the employer and the employee participating in the program." *[Translation]*

IPL Inc. and **Service Employees International Union, Local 800 (2001–2004):** "The Employer shall grant a reduction in the employee's work-week with respect to a position that he holds for the purpose of phased retirement, on condition that he: (a) is a regular employee; (b) has accrued ten (10) years' seniority; (c) is at least sixty (60) years old; (d) applies in writing at least ninety (90) days before the phased retirement is to take effect, indicating the desired reduction of hours, the desired schedule and the effective date. An employee may cancel his phased retirement at any time but must advise the Employer at least thirty (30) days in advance. An employee who takes a phased retirement continues to accrue seniority based on his status before the phased retirement took effect. During the phased retirement, the employee is entitled to all the benefits under the collective agreement pro-rated according to his hours of work." *[Translation]*

Northern Telecom Canada Limited and **Canadian Union of Communication Workers (2000–2004):** "An employee who (...) will be eligible within the next twenty-four (24) months may request to participate on a voluntary basis in the pre-retirement program. After a period of twenty-four (24) months maximum, he shall proceed on pension. (...). The employee will be requested to work three (3) or more regular work days per week (...). For the duration of the program, continuous service will be accumulated as if the employee was working regular hours. (...). The employee will maintain the rate of pay in effect at the time of his participation. (...). Vacation pay will be calculated as if the employee was normally at work."

Rolls-Royce Canada Limited and **International Association of Machinists and Aerospace Workers (1999–2002):** "To be eligible for progressive retirement, an employee must be 55 years old and have ten (10) years of service. The number of employees who will be allowed to take progressive retirement will be limited to 3% of the total number of employees (...). During the period of the progressive retirement, employees must work at least three (3) days per week. The days not worked (the progressive retirement days) must be Mondays in a four (4) day workweek context and Mondays and Tuesdays, in a three (3) day workweek context. Working hours not worked by employees on progressive retirement must be filled in a way not to create prejudice to the work schedule and no additional costs. (...) The calculation of the pension will be established according to the earned reputed salary."

The world of academia is an ideal setting for the implementation of gradual retirement programs due to its particular work-time organization. It is therefore not surprising that many universities allow their professor to gradulaly reduce their teaching workload.

Concordia University and **Concordia University Faculty Association (1998–2002):** "A member who is at least fifty-five (55) years of age may choose to retire gradually over a period not to exceed three (3) years, such that full retirement will occur no later than the June 1st following age sixty-five (65). (...) At the start of gradual retirement, the Employer shall reduce the member's workload normally on the basis of seventy-five per cent (75%) of a full workload in the first year, to fifty per cent (50%) of a full workload in the second year, and to twenty-five per cent (25%) of a full workload in the third and final year, without reduction in salary. In the third year only, the member may request to have no workload assigned for a fifty per cent (50%) reduction in nominal salary. In this latter case, a member who is a participant in the university benefit plans shall continue to participate in the plans. The Employer's contributions shall be based on full nominal salary and coverage in the university pension plan, the life insurance plan and the long-term disability plan shall be based on the full nominal salary of the member. Should the member be a contributing member, the member's contributions shall be based on full nominal salary."

The Concordia agreement also includes a "special reduced-time arrangement leading to retirement" clause. Although this arrangement is not as monetarily advantageous as the gradual retirement program described above, it does provide older employees with another flexible work alternative as they near retirement. "Any member aged fifty-five (55) years or over with ten (10) or more years of service shall be eligible for a special reduced-time arrangement whereby the member's duties and responsibilities are reduced up to fifty per cent 50% each year for a maximum of five (5) years leading to retirement. The annual workload reduction agreed to at the time the arrangement is approved shall be a percentage reduction from the annual workload assignment. (...) Should the reduction in duties be fifty per cent (50%) the member shall be paid an additional one and one-half per cent (1.5%) of the said nominal salary for each year of full-time service at the university in excess of ten (10) years up to twenty (20) years of full-time service, to produce an annual salary not exceeding sixty-five per cent (65%) of the nominal salary."

Board of Governors of Ryerson Polytechnic University and **Ryerson Faculty Association (1998–2001):** "(...) the University shall make every reasonable effort to accommodate such Faculty members who request a fifty per cent teaching workload reduction with all of the required teaching done in one specified semester. (...) During the period(s) of reduced workload/reduced salary, a Faculty member shall receive benefits coverage as if he/she were employed on a full workload/full salary basis, and he/she shall make contributions accordingly, except that, as regards the Long-Term Disability Protection Plan, this provision shall be operative only for a maximum of two years and that thereafter for any remainder of the reduced workload/reduced salary period, the coverage under that plan shall be provided on the basis of the reduced salary. Subject to applicable pension plan provisions, the Faculty member and the University will continue to contribute to the pension plan on the basis of the Faculty member's full normal salary level, with the objective of not affecting adversely either the Faculty member's future pension or the funding basis of the pension plan."

In some agreements, reduced work-time arrangements leading up to retirement are considered a leave of absence without pay and are treated as such (subject to the usual requirements).

University of Alberta and **Association of Academic Staff (2000–2002):** "A staff member shall be entitled to a reduced workload (i.e. leave without pay from a portion of duties) if the staff member agrees in advance to retire immediately upon the completion of the leave period.

"Reduced workload shall be one of the following:

Options	Reduced workload basis (leave without pay)	Maximum period of reduced workload	Basis of salary	Maximum age at beginning of reduced workload
1	from 50% of duties	2 years	1/2 pay	63 years
2	from 66 2/3% of duties	3 years	1/3 pay	62 years
3	from 75% of duties	4 years	1/4 pay	61years

"During the period of reduced workload, the staff member shall be eligible to participate in full in the benefit programs (…) with the Board paying the full premium cost of such participation. Subject to the provisions of the Universities Academic Pension Plan, the staff member may choose to establish the leave period as pensionable service under that plan and, if so, the Board and the staff member shall make the appropriate contributions calculated on the basis of unreduced salary rate."

Instead of progressively reducing the number of hours worked over a certain period of time, as is often the case with pre-retirement programs, at least one agreement allows employees approaching retirement to change their status from full-time to part-time.

Canada Safeway Limited and **United Food and Commercial Workers Union, Local 2000 (1997–2003):** "The Union and the Employer agree to establish a pre-retirement phase-out program whereby, (…), full-time employees may change positions with part-time employees (…) The full-time employee shall retain his/her seniority date and shall be scheduled the restricted number of hours. If hours up to the stated restriction are not available, the employee shall have the option of returning to full-time status, commencing with the next posted work schedule."

Post-Retirement-Age Work Options

A few organizations have established programs to give older employees, particularly those whose skills and experience are in high demand, the option of continuing to work past the normal retirement age. This can be done through offering deferred retirement and/or part-time or temporary employment to retirees.

Although these programs appear mainly in the largely non-unionized service industries, some collective agreements, albeit very few in number, do contain provisions pertaining to post-retirement work.

Deferred retirement

A number of agreements give employees the possibility of extending their employment past the normal retirement age, usually subject to employer approval and/or proof of physical and mental fitness. Conditions of employment remain essentially the same as those of other regular employees.

While mandatory retirement age is set at 65 in the majority of jurisdictions, some contract clauses leave room for a wider interpretation. For example, the use of the term "normally" in the following clause may give some flexibility and allow, in exceptional cases, deferred retirement.

Board of Governors of Ryerson Polytechnic University and **Ryerson Faculty Association (1998–2001):** "Normally, a Faculty member shall retire on August 31 following his/her 65th birthday."

Some agreements specifically allow workers to work beyond normal retirement age. The length of time varies from one agreement to the next.

Canada Fishing Company (British Columbia Coast) and **National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada) (2001–2005):** "Normal retirement age is 65 for all employees and an employee will retire by December 31 of the year in which their 65th birthday occurs. In certain circumstances, where, in the opinion of their supervisor and manager, an employee can satisfactorily carry out their duties and if the employee is physically and mentally able to carry out their duties mandatory retirement will be extended for up to two years."

Work after retirement

Other agreements allow some employees to continue their employment, typically on a part-time basis, after they have retired. Among other things, this provides older workers with an opportunity to supplement their pension income and maintain a number of benefits.

Université du Québec à Montréal and **Syndicat des chargés de cours de l'Université du Québec à Montréal (2000–2002):** "A departmental meeting may exclude from the postings a number of course loads which shall not exceed, per annum and for the University overall, eight per cent (8%) of the total of course loads not assigned to professors and language teachers when the departmental meeting, prior to the posting, decides to recommend to the University: (…) the hiring of professors of the University who are retired, within the meaning of the various plans applicable, up to a maximum of ten (10) course loads/session for the fall and winter sessions, for the University overall." *[Translation]*

University of Manitoba and **University of Manitoba Faculty Association (1998–2001):** "A Member who has achieved his/her 69th birthday, (…) shall retire or continue in his/her position on a half-time appointment (…)."

Toronto French School and **Alliance des enseignants de la Toronto French School (1999–2002):** "Nothing herein shall preclude the Employer from hiring a retired employee pursuant to a contract having a term of one year or less, and so on from time to time, provided such hiring does not create a surplus staff situation or reduce the teaching load of other employees."

Although all of the preceding examples were in the education sector, related clauses were also negotiated in the airline industry.

Air Canada and **National Automobile, Aerospace, Transportation and General Workers Union of Canada, Local 2213 (CAW-Canada) (1999–2002):** "It is agreed and understood that the provisions of the Collective Agreement shall apply to those employees who elect to participate in this retirement phase-in program, except as modified by the following: 1. Employees who are eligible to retire with pension (…) and who wish to participate in the program will request a change of status (…), and shall notify the Company of their intent to retire with pension at the same time. (…)"

With respect to the previous example, in the purview of the retirement phase-in program (with part-time employment), former employees receiving their pensions have the opportunity of maintaining their employment on a part-time basis (under this program, it is impossible to revert to full-time status, whatever the circumstances), until they reach normal retirement age (65) or terminate their service with the company. To qualify for this program, employees must be eligible to retire with pension. This is also subject to vacancies being available. Under this program, employees cease to contribute to the pension plan or to accrue additional allowable service under the plan; and although they remain on the seniority list, no additional seniority or company service can be accumulated. Benefits available are the same as those offered to retirees and part-time workers.

Impact on benefits coverage

Older workers must take into account many different factors before deciding to work beyond the normal age of retirement or changing their status from full-time to part-time. For example, in some agreements, a number of employment benefits are no longer available to older workers once they reach normal retirement age or become eligible for a pension. This is almost always the case for long-term disability insurance (since a pension is presumed to offer an adequate replacement income to disabled employees).

Harmac Pacific Incorporated and **Pulp, Paper and Woodworkers of Canada, Local 8 (1997–2003):** "The Welfare Plan will include a Long-Term Disability Plan which will provide benefits of 50% of regular weekly earnings calculated at 40 times the disabled employee's hourly straight time job rate at date of onset of disability, plus any negotiated increases to that hourly straight time job rate (…). In any event, benefit payment will not be paid beyond age 65 and in all cases, will cease on recovery."

However, other important benefits may also be withdrawn from older employees who decide to pursue their careers past the age of 65 or the age of retirement, if lower.

Air Canada and **Air Canada Pilots Association (2000–2004):** "All benefits will cease for all employees upon attainment of age 60."

Government of Ontario and **Ontario Public Service Employees' Union (1999–2001):** "Supplementary Life Insurance will terminate at the earlier of either the end of the calendar month in which the employee ceases to be a civil servant or, if the employee continues to be employed after age sixty five (65), on the first day of October following the employee's sixty fifth (65th) birthday, (…)." Dependants' life insurance is also terminated correspondingly.

Provincial Health Authorities of Alberta and **United Nurses of Alberta (2001–2003):** "Dental Plan (…) coverage ceases on the date of termination from employment or the date the Employee attains age sixty-five (65), whichever occurs first."

Bombardier Inc./Canadair and **International Association of Machinists and Aerospace Workers, Montréal Aircraft Lodge 712 (1997–2001):** "Notwithstanding the provisions of this clause 30 [Group Insurance], benefits therein described will be modified as follows for employees who would elect to continue working after age 65: Life Insurance: $7,500 [compared with $25,000 for younger employees]; Accidental Death and Dismemberment Insurance: Ineligible; Long Term Disability Coverage: Ineligible."

Finally, the potential loss of benefits when changing status from full- to part-time employment may constitute a serious disincentive for older employees who wish to reduce their working time. However, clauses that specifically grant part-time employees access to various benefits, even if pro-rated, can offer ageing employees more flexibility, and possibly improve and prolong their working lives.

Zehrs Markets and **United Food and Commercial Workers Union, Local 1977 (2000–2006)** have agreed to give part-time employees who have a minimum of two years of continuous service and who have worked at least 600 hours the previous year benefits that are very similar to those working full-time. They have the right to a pension, a dental plan as well as vision care and prescription drug care, although in the last two cases, these benefits do not generally apply to dependants.

Purolator Courier Limited and **International Brotherhood of Teamsters (2001–2004):** "All part-time employees who have eighteen (18) months or more of service and who are regularly scheduled for more than twenty (20) hours per week shall be eligible for the benefits program."

Emergency Medical Care Incorporated and **Nova Scotia Government Employees Union (1999–2002):** "'Regular Part-time Employee' is an employee who is hired for and regularly scheduled to work less than the full-time hours of work as provided in this Agreement on an indefinite basis. Regular part-time employees shall be entitled to benefits pro-rated on the basis of regularly scheduled hours of work, except as otherwise agreed to by the parties."

Provisions Regarding Benefits and Wages for Part-Time Employees in Employment Standards Legislation (Saskatchewan and Quebec)[1]

Two provinces, Saskatchewan and Quebec, have provisions in their labour legislation that specifically pertain to part-time employees' benefits or wages.

Reforms to Saskatchewan's *Labour Standards Act* and *Regulations* in 1994–1995 brought changes designed to improve conditions for part-time employees. Amendments enacted at the time require employers who have at least 10 full-time-equivalent employees to extend to eligible part-time employees certain benefits that are provided to full-time employees. These benefits consist of dental, group life and accidental death and dismemberment plans providing individual coverage, as well as prescription drug plans covering employees, their spouses and their dependants. Eligible employees who work, on average, 15 to 30 hours per week are normally entitled to 50 per cent of the level of benefits provided to full-time employees; those who work on average 30 or more hours per week are entitled to the full level of benefits. Except where a benefit formula is based on the employee's earnings—in the case of group life or accidental death and dismemberment plans—the level of benefits is to be calculated on the same basis as for full-time employees.

To be eligible, employees must have been continuously employed and have worked at least 390 hours during a 26-week qualifying period. (A plan's own qualifying period, where there is one, also has to be completed.) To maintain eligibility, employees who have been employed for at least one year must have worked a minimum of 780 hours in the previous year (15 hours per week on average). However, time that would have been worked had the employee not taken a leave pursuant to the *Act* (e.g. public holidays, annual vacation, parental leave) is counted in determining whether the 780-hour threshold is attained. Finally, Saskatchewan's *Labour Standards Regulations* specify that an employer is not obligated to provide benefits to a full-time student. Employees exempted from the application of the *Labour Standards Act* (e.g. sitters, certain agricultural workers) are not entitled to benefits.

With respect to wages, Quebec's *Act Respecting Labour Standards* stipulates that no employer may remunerate an employee at a lower rate of wage than that granted to other employees performing the same tasks in the same establishment for the sole reason that the employee usually works fewer hours each week. However, this provision does not cover some employees excluded from its scope (e.g. certain care providers, construction workers and students in job induction programs). Neither does it apply to an employee whose rate of pay is more than twice the minimum wage. Moreover, an employer may not reduce a part-time employee's annual leave, or vacation pay, in comparison to what is provided to other employees performing the same tasks, for the sole reason that the employee usually works fewer hours each week.

It should be noted that many jurisdictions in Canada, including Saskatchewan and Quebec, provide for the pro-rating of statutory holiday pay for employees with irregular or part-time schedules.

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[1] Prepared by Labour Law Analysis, Strategic Policy and International Labour Affairs, Labour Program, Human Resources Development Canada. This information is based on legislation in force on February 1, 2002.

Conclusion

It is apparent that older employees need to adequately prepare for life after work. Major Canadian collective agreements reflect this need and contain provisions that specifically deal with the work-to-retirement transition.Contract clauses dealing with pre-retirement leave or vacations and retirement counselling programs are two such examples.

Furthermore, collective agreements increasingly contain programs that allow employees to ease into retirement by gradually reducing the number of hours worked. Some employees prefer to defer retirement and continue to work beyond the normal age of retirement. These workers can benefit from provisions allowing for deferral and part-time work opportunities after retirement. Opting for one of these measures may, however, affect an employee's benefits while still employed, in terms of contributions and access, as well as in terms of the amount of pensionable income to be received once retired.

THE CANADIAN INDUSTRIAL RELATIONS SYSTEM—OPTIONS FOR REFORM

A Conference Board of Canada Research Project

The Conference Board of Canada is currently undertaking a research project on the industrial relations system in Canada. This initiative, funded by the Labour-Management Partnership Program of Human Resources Development Canada and the Conference Board of Canada, includes the full participation of leaders within the labour movement, business and academia.

Over the past several years, in partnership with government and the private sector, The Conference Board of Canada and its Organizational Performance division have undertaken various initiatives to examine employment-related issues and best practices at the level of organizations and public policy. Examples of our past and recent reports in the areas of labour relations and workplace change include:

- *Industrial Relations Outlook (annual report)*
- *Contingent Work: Trends, Issues and Challenges for Labour*
- *Building Success Together: Innovative Labour-Management Partnerships in the Public Sector*
- *Values for Success in Unionized Organizations*
- *Preventing Workplace Violence: Towards an Aggression-Free Workplace*
- *Work-Life Balance: Are Employers Listening?*
- *What to do Before the Well Runs Dry: Managing Scarce Skills*
- *Tapping the Talent of People with Disabilities: An Employers' Guide*
- *Your Workforce Is Ageing: Are you Ready?*

The Board's long history and expertise in the area of labour relations, as well as its strong reputation for excellence in research and knowledge generation, stand as a substantial base on which to launch and successfully complete this initiative.

The Project

If recent history is an indication, the collective bargaining environment in this country has seen vast changes. Consider the following:

- Work time lost due to strikes and lockouts has fallen for over 20 years;
- The use of joint labour-management initiatives continues to rise;
- Union and business leaders are finding closer alignment in corporate strategies.

Considering the fact that the Canadian labour relations system was largely created in an industrial age, can it now adjust to the new economic realities of trade liberalization and globalization? If so, what are the options for reform?

This project will aim to improve collaboration among all stakeholders in the current labour relations environment. In attempting to answer the question—"Is there a better way?"—this research will assess the current system of labour relations in Canada and discuss future options for improvement. Questions to be considered include the following:

- *What are the strengths and weaknesses of the current system?*
- *Is the current adversarial approach the best possible option?*
- *Are legislative changes required?*

- *Who needs to be involved and what role can they play in improving the system?*
- *What can Canadian practitioners learn from international experiences?*
- *Is there common ground for industry and labour on system changes?*

The Methodology

The methodology for this research will include four main activities:

1. A comprehensive *literature search* will be completed, assessing the current system of industrial relations in Canada as well as experiences in other industrialized countries;
2. A *survey* of leading thinkers and practitioners in the field, including representatives from government, labour, business and academia, will be undertaken to identify issues, challenges and opportunities for change;
3. A structured *roundtable* of 10 to 15 leaders from among the key stakeholder groups will be convened to identify and explore "alternative futures;"
4. Personal *interviews* will be conducted among 10 additional leaders to solicit their views on the future of the Canadian Labour Relations system and their reactions to the "alternative futures" identified throughout the project.

The work on this important project is currently ongoing. The final report will be completed by December 2003.

For further information or clarification on this proposal, please contact either:

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Coming in a Future Issue!

Excerpts from the report will be highlighted as they become available.

THE NATIONAL JOINT COUNCIL AND THE DEVELOPMENT AND FUTURE OF LABOUR-MANAGEMENT CONSULTATION IN THE CANADIAN FEDERAL PUBLIC SERVICE

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Queen's University

Introduction

Over the past several decades, the precipitous decline of American unionism, the erosion of private sector union density in Canada, the rise of advanced human resource management practices, and the focus on workplace innovation have all been front and centre on the industrial relations stage (Verma and Chaykowski 1999). Among these developments, the search for greater union-management cooperation reflects recognition on the part of management and unions that it can yield "mutual gain" and reduce costly conflicts (Chaykowski 2001). These benefits have been viewed as even more important in the current era of increased competition and the transformation of production and work systems.

Innovative approaches to labour relations are often associated with the private sector, and this perception probably holds for cooperative approaches as well. But the federal public service has a rich history of efforts to develop new approaches to consultation and cooperation. Perhaps foremost among these efforts has been the work of the National Joint Council. Founded in 1944, it became a unique and innovative vehicle for achieving a significant degree of labour-management consultation. Over the period from 1945 to 1967, the Council became firmly established as a formal institutional arrangement for facilitating substantive consultation on a wide range of employment matters in the civil service (Barnes 1974). In practice, the National Joint Council demonstrated an ongoing capacity to achieve major improvements in the terms and conditions of employment.

The advent of unionism and collective bargaining in the federal civil service in 1967 at first seemed to threaten the viability of the National Joint Council, as the parties turned to collective bargaining as the main vehicle to conduct labour relations (Chaykowski 2000). The unions, however, soon experienced repeated actions, by successive governments, to suspend the right to strike and to limit strike effectiveness through the process of increasing the proportion of designated employees and by the outright imposition of employment terms (Swimmer 1995; Panitch and Swartz 1984; Thompson and Ponak 1992). On the other hand, the Council continued to provide a forum for active engagement: marginal, steady gains in the terms and conditions of employment continued to be achieved, the mechanisms for the operation of the Council continued to be strengthened to make it more effective, and it enjoyed tremendous credibility as a meaningful bipartite institution (Chaykowski 2000). While collective bargaining had become the centrepiece of federal public service labour relations, over time, its own limitations ultimately contributed to the parties' renewed interest in strengthening the functioning and role of the National Joint Council.

At the beginning of the 21st century, the system of labour relations in the federal public sector is uniquely structured. Labour relations is conducted through both conventional collective bargaining and through consultation at the National Joint Council. But the system is in troubled waters. The scope of the Council is limited to dealing with service-wide issues, meaningful collective bargaining has not developed, attempts by management to introduce advanced human resources practices have floundered, and the need for "renewal" of the civil service is becoming urgent (Swimmer 1995; Chaykowski 2000; Lowe 2001). Against this backdrop, the federal government established the Fryer Committee to examine labour-management relations in the public service and to recommend changes with a view to renewing labour relations.

— The author acknowledges the support of the National Joint Council in providing archival access and wishes to thank Des Davidge for providing the benefit of his insights into the history of the Council and its prospects for the future. The author also appreciates the invaluable archival assistance provided by Kathryn Brookfield and David Wood.

In this paper, I examine the past development of, and future prospects for, labour-management cooperation in the federal public service of Canada. The main focus, however, is on the National Joint Council, in part because of its prominent role in contemporary times but, also, because it figures prominently in the Fryer Committee's recommendations regarding the future direction of public service labour relations. Then, I briefly consider the parallel development of labour- management cooperation in the private sector, in order to provide a context for the interest in, and evolution of, consultation in the public service of Canada.

I then provide a model for organizing the different approaches and institutional arrangements by which labour-management consultation has evolved in the federal public service. Finally, I proceed to focus on the three areas in which consultation has evolved in the federal public service. First, I examine the development of the National Joint Council, since it has been the primary bipartite mechanism by which consultation has occurred; second, I briefly assess the development of selected consultation approaches that have been either proposed or initiated by management, which may be viewed as falling under the rubric of human resource management initiatives; and third, I consider briefly the arrangements that became contractually available through collective agreements once unions were established in the public service. I conclude with an assessment of the future prospects for the Council, and for consultation more generally, in the federal public service.

Consultation and Cooperation in Canadian Private Sector Labour Relations

The Traditional "Job Control" Industrial Model(1)

Up to the 1980s, what has commonly been characterized as the "traditional" industrial relations system remained entrenched in the Canadian private sector. In this system, organizational structures were typically hierarchical and "top down," particular jobs were highly structured, requiring a limited skill set, and subject to close supervision.

These characteristics gave rise to what has been called "job control unionism," in which increasing worker control over all aspects of the job (e.g. wages, job security and working conditions) became central to union interests. In this context, the conduct of labour relations was identified by mutual distrust between the parties and adversarial approaches to collective bargaining, clearly defined and separated roles for management and unions in the workplace, and a heavy reliance on a standardized, yet complex, set of rules governing workplace relations.

Not surprisingly, many of these characteristics of private sector labour relations came to characterize labour relations in the public sector once bargaining rights were established.

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(1) The characteristics of the traditional workplace and labour relations system are thoroughly described by Cappelli et al. (1997) and Kochan, Katz and McKersie (1986) for the United States and by Chaykowski and Verma (1992) and Verma and Chaykowski (1999) in the Canadian setting.

By the mid-1980s, in many private sector industries, the characteristics of traditional organizations and labour relations had begun to change under the combined pressures of increased competition (arising through either the extension of product and capital markets internationally or the deregulation of domestic markets), increasingly pervasive changes in production technologies and changes in work systems.[1] The nature and the extent of change in industrial relations have generally varied across and within industries, often as management and unions have sought to tailor changes to the circumstances of individual firms and workplaces.

Among the most important changes in the conduct of industrial relations in the 1990s has been the attempt to reduce the degree of adversarialism between labour and management and, in some cases, to establish some level of cooperation between labour and management. In collective bargaining, this has manifested itself in attempts to find more innovative bargaining approaches (e.g. interest-based or mutual gains bargaining) that reduce costly overt conflict.[2] In the workplace, employee participation also appears to matter to management because it is often viewed as an important supporting factor in the introduction of new production technologies or in efforts to increase organizational flexibility (Marshall 1992, 292–295). More generally, management has typically been the initiator of efforts to increase employee involvement and cooperation, primarily because participation has been viewed as an element of so-called "high-performance work systems."[3]

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[1] Even so, the conduct of industrial relations in many firms and industries has retained many of the basic elements of the traditional system. Refer to Verma and Chaykowski (1999), Chaykowski and Verma (1992) and Betcherman et al. (1994) for a discussion of the evolution of industrial relations in Canada.

However, unions have remained sceptical about management motives for introducing programs to increase employee participation, often because they fear attempts to circumvent the union (i.e. generally, or on workplace change issues), or they are concerned that employee involvement programs may be introduced in conjunction with organizational change that involves job loss (Verma 1995, 296–298, 301). On the other hand, unions also recognize that increased employee participation in the workplace can serve to increase employee "voice."

Unions have remained most interested in increasing cooperation and participation through joint labour-management committees that are negotiated through collective bargaining. This approach to cooperation is not new and here, also, unions are concerned that joint committees be vested with real decision-making authority. What does appear to have changed over the period from the 1970s to 1990s is that the number of firms and unions that have pursued this avenue, the influence that joint committees have in the workplace and, in some cases, their decision-making authority have all increased (Verma and Chaykowski 1999). While joint committees in the Canadian private sector tend to span a diverse range of employment issues, most tend to be advisory.

The development of more cooperative approaches to labour-management relations evolved, therefore, out of a recognition that traditional "arms-length" approaches alone were not sufficient to address many workplace issues deemed to be in the best interests of both parties (e.g. health and safety, training) and to meet the intense economic and social pressures of the 1980s and 1990s. The response was to broaden the scope of the labour-management relationship by moving in the direction of reducing conflict within collective bargaining, by developing joint labour-management initiatives that operated during the term of the collective agreement, and by developing new approaches to enhancing cooperation and involvement.

Cases of the Evolution of Joint Labour-Management Committees in the Private Sector

At Inco Limited, the progressive development of contractual joint union-management committees has evolved since collective bargaining first began in 1945. While the first committees consisted exclusively of employees and engaged in periodic consultations with management, they set the stage for the later development of formal joint workplace committees beginning in the 1970s; in turn, these set the stage for more strategic-level joint committees that included senior officers of the firm and union (Chaykowski 1997). This pattern of development appears to be typical of long-standing union-management relationships.

To date, there has been little in the way of systematic evidence across sectors on the decision-making authority of joint committees. However, evidence from the Canadian telecommunications industry indicates that, by the 1990s, joint committees with at least some decision-making authority existed at several major firms (Verma and Chaykowski 1997, 180, Table 4.8):

- at BCTel in training and development;
- at Bell Canada in workplace reorganization;
- at SaskTel in training and development; and
- at AGT Ltd. in health and safety.

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[2] See Chaykowski (2001) and Chaykowski and Grant (1995) for evidence on the Canadian experience with interest-based bargaining.

[3] Refer to Betcherman et al. (1994) and Betcherman and Chaykowski (1996) for discussions of the organizational characteristics commonly associated with high-performance workplaces, which typically include flexible work organization, use of workplace teams, variable compensation systems, emphasis on human capital investment, and employee involvement.

Development of Consultation and Cooperation in the Federal Public Service

A Model of the Development of Consultation in the Federal Public Service

Employee-management consultation in the federal civil service has evolved along three distinct paths over the latter half of the 20th century. These three paths are depicted in Figure 1 for the period extending from 1944 through the end of the century.

- *The first path essentially involved a series of management initiatives to create some type of labour-management consultative or cooperative program in the public service.* These are human resource management initiatives that would have, prior to 1967, involved employees either directly or through their associations; after the advent of the right to form unions and negotiate collective agreements, they would have involved employees or their unions. These initiatives tended to be periodic, to be considered somewhat "enlightened" in their approach and, to some extent, to reflect the particular concerns of the government of the day regarding the public service. In some cases, these efforts were influenced by emerging private sector human resource management approaches.
- *The process of formal consultation through the National Joint Council defines a second path.* The Council was established in 1944 and modelled after the British Whitley Councils, although in the Canadian situation the authority and scope of the bipartite council was far more circumscribed (Barnes 1974). The Council consisted of employer representatives as well as employees' representatives (associations prior to 1967 and unions thereafter). This is a formal consultative mechanism that was established toward the end of the era in which private sector "industrial councils" were considered desirable and it survived until long after such councils were considered useful.
- *The third path corresponds closely to private sector developments.* This path involves joint union-management activities or committees, especially those established through collective bargaining and defined in the collective agreement. In some ways, this path has been the least well developed and active of the three.

Consultation and the Fryer Committee Vision for Labour Relations

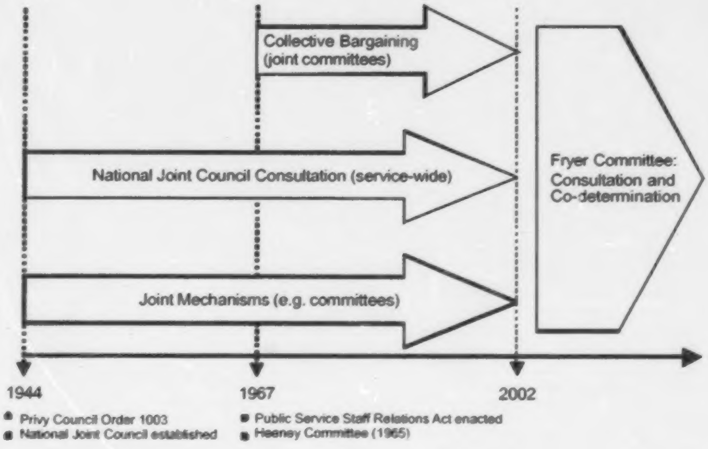
The mixed record of federal public sector consultation was clearly recognized by the Fryer Committee, which also acknowledged that the collective bargaining pathway had essentially become ineffective. But the Committee also recognized that, in light of the mounting frustrations of the unions and employees with the current system, a framework for labour-management relations that is rooted in adversarialism would not facilitate the future renewal of the public service and the goal of efficient service delivery.

Therefore, a centrepiece of the Fryer Committee recommendations is to create "a new institutional framework for labour management relations" (Canada, Fryer Report 2001, 3) that would make "consultation and co-development" a central component (alongside a renewed collective bargaining) of the conduct of labour-management relations in the post-2002 period. The recommendations of the Fryer Report, if implemented, would basically bring together the three, now disjoint, paths along which consultation has evolved.

In practice, there has been little or no interaction or coordination across the three paths. Efforts in each area, therefore, largely developed "in parallel"—in effect insulated from one another. This characteristic is important, because specific initiatives in a given pathway also do not always correspond to the same level of industrial relations. For example, the National Joint Council tended to address service-wide issues of importance to all employers and all associations and unions across the country, whereas a joint committee established through collective bargaining would not necessarily be negotiated in other collective agreements in the public service; neither would it necessarily operate in practice in the same way in different bargaining units, even if it were replicated across contracts. In any event, by the end of the century, attempts at consultation and cooperation had a very mixed track record: the attempts were inconsistent across the public service and, most important, had not been sustainable on a *broad basis* over the long term—with the one important exception of the National Joint Council.

Figure 1

Employee Representation and Consultation in the Federal Public Service, 1944-2002


Collective Bargaining (joint committees)
National Joint Council Consultation (service-wide)
Joint Mechanisms (e.g. committees)
Fryer Committee: Consultation and Co-determination
1944
1967
2002
Privy Council Order 1003
National Joint Council established
Public Service Staff Relations Act enacted
Heeney Committee (1965)

Establishment and Development of the National Joint Council as a Consultative Forum

In 1944, the Minister of Finance, the Honourable J.L. Ilsley, announced in the House of Commons that Treasury Board would establish a joint employee-employer council for the Canadian civil service based upon the model provided by the British Whitley Councils (Ilsley 1944, 778).[4] While the mandate and purpose of the Canadian National Joint Council was built directly upon the constitution of the British Whitley Councils, the Canadian model was to differ from the original concept of British joint industrial councils in several key respects:

- First, joint industrial councils, as conceived by Whitley, included joint committees at the national, local and establishment levels (Barnes 1974, 9); in contrast, the Canadian council would be only national in scope.
- Second, the Whitley Councils had executive powers (Barnes 1974, 13), whereas the Canadian model allowed for consultation only:

> "The council will, of course, not have any executive powers which would impair the responsibility of the Cabinet or Treasury Board or Civil Service Commission, or possibly infringe upon the authority of parliament...the council's functions will therefore be advisory only...." (Ilsley 1944, 779)

- A third defining difference between the British and Canadian models concerned the different scope of the terms and

Structure and Representation of the National Joint Council

Initially, the National Joint Council consisted of eight staff-side organizations and representatives from six government departments or agencies (Rump 1972, 10); together these staff-side organizations represented at least 60,000 federal civil servants, which comprised slightly over one half of total federal employment.(1) Since then, typically, each of the bargaining unit side and employer-side organizations in the federal public service has had a representative on the Council, which meets quarterly in the form of an assembly.(2)

The contemporary mode of operation of the National Joint Council has been to have the Council administered by a general secretary, who is neutral and is appointed for a fixed term. An administrative (executive) committee consists of co-chairs representing each of the employer and the bargaining unit sides, respectively; it conducts the ongoing executive decision making of the Council.(3) The specific employee associations (subsequently unions) and employer organizations represented on the National Joint Council have varied over the years, as, for example, mergers changed the composition of the employee representatives and new federal employers came into existence.

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(1) See Labour Organizations in Canada. *Thirty-Six Annual Report.* 1948. Ottawa: King's Printer. Rump (1972, 6) reports that total federal civil service employment was roughly 117,000 in 1946.

(2) There were several exceptions to this early on.

(3) This executive committee typically meets on a regular basis to consider current business arising from the application and interpretation of National Joint Council policies and to consider reports from working committees of the Council.

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[4] The National Joint Council of the Public Service of Canada was established by Order-in-Council PC3676 of May 16, 1944 (Rump 1972, 8). On March 8, 1945, the constitution of the Council was finalized by Treasury Board (Rump 1972, 12).

conditions of employment that would be considered by the councils, particularly with respect to compensation; whereas the new National Joint Council would not deal with compensation in the federal civil service, the Whitley Councils were empowered to do so (Frankel 1956, 514–515; Rump 1972, 14).

The Council initially considered a range of "personnel" types of issues, many of which were the result of the special conditions of employment brought about by World War II. The first issues before the newly formed Council included, for example, the resumption of statutory pay increases and job reclassification (Rump 1972, 16; Barnes 1974, 30–38). Subsequently, throughout the period extending from the late 1950s through to 1967, the National Joint Council considered an increasingly diverse range of issues, including (Barnes 1974, 114–133; Rump 1972, 16):

- technological changes in the workplace;
- workplace standards and working conditions;
- retirement issues;
- group medical insurance;
- rules governing employment beyond the age of 65; and
- regulations regarding "removal expenses" incurred through job changes.

Much of the work of the Council has consisted of the continuous development of employment policies and directives. Much of this ongoing work has, in practice, been conducted by working committees constituted by the National Joint Council, which would have representatives from both the employer and bargaining unit sides, and have a chair that oversees the meetings. As workplace and employment issues arose, the approach was to establish a committee of the Council that would develop a report, typically with recommendations, for consideration by the Council.[5] Ad hoc committees provided in-depth consideration of the issues at hand and afforded the staff associations and the employer an opportunity to develop a consensus position.

The number and mandate of working committees evolved over time in response to the major issues brought before the Council. By the early 1970s, National Joint Council committees were struck to deal with issues relating to physical working conditions, isolated posts regulations, health insurance, travel regulations, foreign service directives, and the pay system; and, by the 1980s, a large number of standing committees had been established (Barnes 1971, 19). By the early 1990s, standing working committees covered most relevant areas of the employment relationship (e.g. technology, employment equity, foreign service issues, travel, employment in isolated posts, occupational health and safety, official languages, workforce adjustment, major employee benefit plans, and union-management relations). While the advances achieved through the work of these committees occurred, for the most part, incrementally, breakthroughs in some areas, such as job security, were not uncommon.

As a result of the passage of the *Public Service Staff Relations Act*, the constitution of the National Joint Council needed to be revised in light of the transformation of the staff associations into certified bargaining agents; the new constitution became effective on May 30, 1967 (Barnes 1969, 16). More significant structural issues emerged in the collective bargaining era, including the original limitation on the scope of the National Joint Council (in excluding compensation), the absence of a binding dispute resolution process when impasses emerged in the consultation process, the tendency for the management side to either stonewall or act unilaterally on some key issues, and delays in implementing joint decisions (Chaykowski 2000; Barnes 1974; Frankel 1956).

Step by step, efforts were made throughout the 1980s and 1990s to strengthen the Council by working to reduce delays and restore confidence in the joint approach to workplace issues (i.e. by refraining from taking unilateral action and by giving National Joint Council directives the force of collective agreement clauses) and by introducing mediation to resolve impasses (Chaykowski 2000).[6] By the end of the 1990s, the Council had matured to a degree that its activity and results probably far exceeded that of any other joint labour-management council in either Canada or the United States.

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[5] These committees would typically report the results of their work to the Administrative Committee, but might also submit reports to the General Assembly of the National Joint Council.

[6] While compensation has remained outside the purview of the National Joint Council, this issue became much less relevant to the Council after the advent of collective bargaining.

Evolution of Consultation through Human Resources Management Initiatives

Aside from the National Joint Council, there evolved several other forms of employer-employee consultation in the public service. Prior to 1967, there was always latitude for informal employee submissions on matters respecting the terms and conditions of employment; this approach simply reflected an extension of the dominant practice, prior to the creation of the Council, into the early Council era. But there also emerged interest in establishing joint committees in areas such as staffing, or employment. These forms of consultation were envisaged as outside the purview of the Council and, after 1967, as outside the collective bargaining arena as well.

Attempts to Foster Consultation Over Compensation

The 1958 Heeney Report examined the *Civil Service Act* and the Civil Service Commission (Heeney was chair of the Commission). The report broadly recommended a renewal of the National Joint Council constitution with a view to "...making it more useful and effective as a forum of joint consultation..." regarding employment conditions (Canada: Heeney Report 1958, 133); it also made it clear that matters relating to compensation ought to remain outside the purview of the Council.[7] Instead, the Heeney Report recommended that the Civil Service Commission take on the responsibility of establishing a process for joint consultation between employer representatives (e.g. from Treasury Board) and representatives from the various staff associations over matters related to compensation (Heeney Report 1958, 132).[8]

Furthermore, the Committee recommended that the Civil Service Commission assume the responsibility for appointing the chair of this joint body and for determining the procedural rules for its conduct.[9] Obviously, the intention was for the Commission to generate recommendations, based on the consultation process, which would then be "considered" by the employer (Heeney Report 1958, 132). The inclination of the government to accept the recommendations would rest upon any impetus arising from the public disclosure of the recommendations (Hodgets et al. 1972, 246). The credibility of the Civil Service Commission to the associations would depend upon the perception of its independence and on the quality and credibility of the information provided by the Pay Research Bureau[10] (Heeney Report 1958, 132–133; Hodgets et al. 1972, 246). Provision of full information was to be accomplished by establishing a formal procedure by which the recommendations of the Commission would "...be communicated simultaneously to the government and to the staff associations concerned" (Heeney Report 1958, 133).

This heavy reliance on the Commission (in the Heeney Report) was rooted in the explicit assumption that it would be sufficiently impartial to properly serve the competing interests of employer and employee over compensation matters that remain, indeed, the most contentious among all employment issues.[11] Nonetheless, no concrete evidence was provided in the Heeney Report to justify this rather key assumption that the Civil Service Commission could achieve the perception, if not the tangible reality, of impartiality.[12] Moreover, in 1959, the government undermined the notion of Commission independence when, in rejecting a Civil Service Commission recommendation for pay increases for employees, it "...publicly questioned the credibility of the Commission and the Pay Research Bureau" (Hodgets et al. 1972, 265).

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[7] Specifically, the Heeney Report (1958, 132) stated: "However, the central question of salary and wage levels has never been included in the National Joint Council's deliberation. Further, we do not consider that the Council could provide a suitable forum for joint consultation and systematic discussions of this complex subject." Interestingly, this point is actually an *assertion* that served as a premise for considering other means of government-employee consultation over compensation matters.

[8] Here the Heeney Report (1958, 132) observed: "The Commission is, therefore, in a position, in law and in fact, to provide the independent auspices under which representatives of the Government, on the one hand, and representatives of the organized staff associations on the other, could discuss in a systematic fashion questions of salary and wages in government employment."

[9] See Appendix B of the Heeney Report (1958, 132–133). This conception of how consultation should operate took shape earlier, in 1957, in a series of memoranda between Heeney and various ministers, including the Minister of Labour and Minister of Finance (Hodgets et al. 1972, 245, 256, fn 44).

[10] In 1957, the Civil Service Commission established the Pay Research Bureau to provide objective information on rates of pay and conditions of employment in government and industry and to recommend salary rates for civil servants. In 1967, as a result of amendments to the *Financial Administration Act*, Treasury Board was given the authority to enter collective agreements on behalf of the government. Consequently, responsibility for classification, pay determination and most conditions of employment was transferred from the Commission to the Board. The Pay Research Bureau was moved to the Public Service Staff Relations Board.

In 1959, the chair of the Commission passed from Heeney to Justice Hughes, who began work on the new *Civil Service Act* (Hodgets et al. 1972, 266–267). Under the new regime, the Commission would undertake consultations with the associations "...following which the Commission would make recommendations to the Treasury Board. The Board in turn would consider the report from the Commission, have further consultations...and finally make its own proposals to the government" (Barnes 1974, 106).

In this way, the government, as employer, reserved the exclusive right to determine all matters regarding compensation (Hodgets et al. 1972, 270, 274–275). The employer retained full decision-making authority over matters related to compensation. This key principle was entirely consistent with the approach taken in the earlier period. Almost immediately, the associations became quite dissatisfied with the process because any agreement reached at the initial stage of consultation only formed the basis of a recommendation to Treasury Board, which on some occasions either modified them or declined entirely to act upon them (Connell 1973, 46; Hodgets et al. 1972, 275). This experience clearly illustrated the importance of a key principle of joint labour-management mechanisms recognized by unions: whether the decisions arising from a joint process are to be binding upon the parties or, rather, serve only as recommendations to management.

National Joint Council as an Option for Consultation Over Compensation

Moving consultation on compensation over to the National Joint Council would have been one possible path along which labour-management relations could have advanced. Would it have worked in practice?

The membership on the employer side of the Council was such that, once an agreement over a compensation issue was reached, it could take on the quality of something that the government itself agreed to; otherwise the employer side should not have entered into a Council agreement over the issue. If such National Joint Council agreements were made public prior to their submission to the government for final approval, the government would then be subject to the same kind of pressure to accept the agreement that Heeney envisaged might occur if his proposal (that the Civil Service Commission make public its recommendation after consulting with the associations) had been followed.

But successive governments have clearly not been prepared to introduce compensation issues into a forum, such as the National Joint Council, in which the deliberations are more fully bilateral, although the government could do so and still retain the right to treat any outcomes of such consultations as recommendations only.

If the government was going to allow joint discussion over compensation issues to evolve, it clearly preferred to carefully regulate and, indeed, to limit the extent of the input from associations. From this perspective, the approach adopted in the *Civil Service Act* was, understandably, a more conservative approach that permitted the employer more control over both the process and the outcomes than might be possible, for example, in the National Joint Council, where the associations stood on a more equal footing. The record of the government regarding the exclusion of all matters concerning compensation from the purview of the Council was, by this time, well established.

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[11] The central proposition was that the Civil Service Commission was sufficiently "independent." Hodgets et al. (1972, 245) describe this proposed role for the Commission as that of "an independent arbiter," while the Heeney Report (1958, 132) later described its purpose as affording the parties "independent auspices."

[12] Importantly, Hodgets et al. (1972, 253) note that Professor Frankel, in personal correspondence to Heeney in 1958, pointed out that even the "perception" of the independence of the Civil Service Commission was a key issue.

Staffing: Consultation Versus Collective Bargaining

Another important example of the desire to extend consultation involved the area of staffing. Under the *Public Service Employment Act*, the Public Service Commission was obligated to engage the unions in consultation over staffing issues (Canada: D'Avignon Report: 1979, 126). But in the late 1970s, a commission was established by the government under G.R. D'Avignon with a mandate to review the *Act*, including issues related to the merit principle, training, and staffing decision appeals, with a view to "...the scope of collective bargaining... [and] the fostering of improved employer-employee relations" (D'Avignon Report 1979, 3).

In 1978, in the spirit of the requirement to consult, the Public Service Commission created a Joint Consultative Committee (Finkelman and Goldenberg 1983, 229–230; D'Avignon Report 1979, 127). In its deliberations, the D'Avignon Committee (1979, 126) rejected the idea of consultation, however, on the grounds that it "...cannot be legislated and consultation has no means of impasse resolution." While recognizing the value of the National Joint Council, the D'Avignon Committee (1979, 33–34) saw no role for it either in the new model it proposed for determining staffing matters. Instead, its key recommendation was to establish a National Staffing Council that was, in effect, a central bargaining table for staffing issues (D'Avignon 1979,128–134; Finkelman and Goldenberg 1983, 206, fn 127).[13] In essence, the National Staffing Council would be the collective bargaining counterpart to the National Joint Council and consultation. In any event, the D'Avignon Committee clearly regarded collective bargaining as the preferred vehicle for advancing labour relations.

In the end, the consultation model prevailed. Although the idea of a National Staffing Council was not implemented, by the end of the 1990s, the Public Service Commission updated its joint consultative mechanism by replacing the Joint Consultative Committee with the Public Service Commission Advisory Council (Canada: Public Service Commission of Canada 1999).

"Management-Driven Organizational Change" and Negative Labour Relations Fallout

The Professional Institute of the Public Service of Canada expressed its deep concern with a number of process issues concerning PS 2000, especially the lack of consultation with employees, through the union.(1) Subsequently, the National Joint Council sponsored a forum on PS 2000, which the Professional Institute chose to boycott, essentially in order "...to signal our disapproval of the PS 2000 process and the recommendations of the Staffing Report."(2)

In the end, the participation of the National Joint Council in the discussions around PS 2000 served to alienate the Professional Institute from the Council itself.(3) Relations between the Professional Institute and Treasury Board were further strained when the President of Treasury Board reportedly intended, at one point, to discuss PS 2000 directly with stewards; this apparent attempt at an end run around the executive of the Professional Institute was denounced by the president of the Professional Institute.(4)

(1) Source: Letter dated September 14, 1990, from Iris Craig, President of the Professional Institute, to Brian Mulroney, Prime Minister of Canada. Reproduced in Public Service 2000 Report: An Assault on Your Rights (1990; circular), p. 1.

(2) Source: Public Service 2000 Report: An Assault on Your Rights (1990:circular), p. 8.

(3) In a letter dated January 14, 1991, from Iris Craig, President of the Professional Institute, to Gary Meyers, Chair of the National Joint Council staff side, Craig states: "...the National Joint Council should not provide a forum for senior managers to claim that consultation is on-going with Public Service unions.... Furthermore, the divergent interests of some unions make the National Joint Council an unacceptable forum for any discussions with management on PS 2000.... There is increasing pressure from many of our members to reconsider our participation at the National Joint Council." (Reproduced in Communications, Vol. 17, No. 1, January–February 1991, 5).

(4) Source: Communications, Vol. 17, No.1, January–February 1991, 6.

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[13] The D'Avignon Committee's key recommendation was: "That a new forum of collective bargaining be established to bargaining staffing and related matters, and that this forum be called the National Staffing Council" (D'Avignon Report 1979, 128).

Other initiatives to modernize the public service have affected the climate of consultation and dialogue between public service management and the unions and employees in the public service. Notable among these was Public Service 2000, a government attempt beginning in 1990 to "renew" the public service by creating reform in the "...mandates, structures and operations and, above all, in the management culture of the public service..." (Tellier 1990, 123). Given the broad private sector context for these types of efforts at organizational change, which are typically initiated by management with a view to increasing productivity and lowering production costs, it is not surprising that many of the unions were sceptical of the plan. The public service unions perceived little or no attempt on the part of the government to involve them in the change process, viewing it as "...an initiative created by management for management" (McIntosh 1991, 511).[14] In the long term, given that the PS 2000 initiative did have substantial industrial relations implications, this approach ran obvious risks. In the short term, the labour relations consequences of a lack of involvement in the change process (perceived or actual) are illustrated by the negative reaction of the Professional Institute of the Public Service of Canada.

Consultation as a Statutory Requirement

Consultation also developed as a statutory requirement. The *Public Service Employment Act* (1967) required that the Public Service Commission undertake formal consultation over staffing matters (e.g. promotion or layoff issues) with employee unions. This requirement was first given a real mechanism in 1978 when the Commission instituted a Joint Consultation Committee with representation from the unions and with the ability to make non-binding recommendations regarding issues within the scope of the *Public Service Employment Act* (Finkelman and Goldenberg 1983, 228–230). A second instance of a statutory requirement for consultation was set out in the *Public Service Superannuation Act*, which provided for a joint Advisory Committee to provide administrative recommendations, with members customarily nominated by the National Joint Council (Finkelman and Goldenberg 1983, 229–230). Not surprisingly, the unions found both forms of consultation generally limited because of the absence of real power (i.e. to make the recommendations that were binding on the government) and, also, in the case of the Advisory Committee on superannuation, because the scope of consultation was defined by the employer (Finkelman and Goldenberg 1983, 230–231).

Public Service Cooperation Under Collective Bargaining

The established pattern for cooperation through collective bargaining, in the private sector, has been for the initial joint committees to be focused on improving communication and to operate at the workplace level; typically, the formality, degree of influence and extent of involvement of senior union and management tend to increase, often incrementally, over successive rounds of bargaining. The primary mechanisms for consultation that resulted from formal collective bargaining in the federal public service include negotiated contract clauses that provide for the establishment of joint labour-management committees, which may operate at either a national or a local level; in the federal public service, collective bargaining has also yielded contractual agreements to engage in consultation generally (Finkelman and Goldenberg 1983, 232–236) (see Table 1).

Aside from joint committees established through collective bargaining, in 1971 Treasury Board produced guidelines for the formation and conduct of joint "consultation committees," which were expected to complement collective bargaining (Finkelman and Goldenberg 1983, 235).

The National Joint Council and the Future of Consultation in the Federal Public Service

Throughout the past 50 years, the government has attempted to introduce a variety of consultation mechanisms into the labour-management relationship. This was the case, for example, with the contentious issue of compensation. The introduction of bargaining rights in the public service moved consultation over compensation off the agenda, but the government continued to attempt to foster consultation in other areas, such as staffing. Throughout the 1945 to 2000 era, it was, however, the National Joint Council that constituted the primary consultative arrangement, and it achieved considerable tangible success. But the introduction of collective bargaining rights has had a significant impact on the Council.

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[14] McIntosh (1991, 506) notes: "There was no dialogue, no exchange of views and certainly no opportunity to debate the divergent views which clearly did exist as evidenced by the task force reports which subsequently materialized."

Table 1

Examples of Contemporary Contract Clauses that Establish Consultation

Collective Agreement	*Clause*	*Type*
Treasury Board and PSAC (Expires June 2003)	"The Employer and the Alliance agree to undertake a joint review of the implementation of the recommendation provided by the Human Resources Council...regarding the classification of the compensation positions. To this end, the parties agree to the formation of a joint committee...." (Appendix C)	Specific
Treasury Board and PSAC (Expires June 2003)	"The parties agree to the formation of a joint committee made up of an equal number of PSAC and employer representatives to review the use of term employees." (Appendix F)	Specific
Treasury Board and PSAC (Expires June 2003)	"The parties acknowledge the mutual benefits to be derived from joint consultation and are prepared to enter into discussion aimed at the development and introduction of appropriate machinery for the purpose of providing joint consultation on matters of common interest." (Article 21.01)	General
Treasury Board and the Professional Institute of the Public Service of Canada (Expires September 2002)	"The parties to this collective agreement acknowledge the mutual benefits to be derived from consultation on Career Development. To this effect the parties agree that such consultation will be held at the departmental level either through the existing Joint Consultation Committee or through the creation of a Departmental Career Development Consultation Committee. A consultation committee as determined by the parties may be established at the local, regional or national level." (Article 18.06 (a))	General
Treasury Board and the Professional Institute of the Public Service of Canada (Expires September 2002)	"The parties acknowledge the mutual benefits to be derived from joint consultation and will consult on matters of common interest." (Article 37.01)	General
Treasury Board and the Professional Association of Foreign Service Officers (Expires June 2001)	"The parties acknowledge the mutual benefits to be derived from joint consultation and will consult on matters of common interest." (Article 6.01)	General
Treasury Board and the Association of Public Service Financial Administrators (Expires November 2001)	"Upon request of either party, the parties to this Agreement shall consult meaningfully at the appropriate level about contemplated changes in conditions of employment or working conditions not governed by this Agreement." (Article 16.01)	General

Source: *The Treasury Board of Canada.*

In 1967, as the government moved to establish the rights of federal public service employees to organize into unions and to bargain with the government, it appeared to both sides that they had entered a new era in which the focal point of labour-management relations had shifted away from consultative mechanisms in favour of collective bargaining. Even before collective bargaining rights had been granted, the expectation around collective bargaining were running sufficiently high that it overshadowed consultation generally, and particularly the National Joint Council (Edwards 1966; Chaykowski 2002). In practical terms, the new thinking was that collective bargaining would replace consultation mechanisms as the centrepiece of labour-management relations.

At the time, the government did not discourage consultation through the Council; neither did it particularly take measures to foster its further development. Instead, the Council developed largely because it had retained some momentum, it did quite successfully address service-wide issues, and its operation did not conflict with the new collective bargaining structure. It therefore made sense to retain the National Joint

Council, subject to reframing its purpose around the new collective bargaining mechanism. Over the period from 1967 through the end of the 1990s, the challenge to the Council was to functionally determine how these two mechanisms could complement each other in labour relations (Chaykowski 2000).

By the 1980s, however, it was becoming apparent that ad hoc government intervention in the realm of collective bargaining, driven by broader fiscal objectives and by an unwillingness to bear the costs associated with work stoppages, had severely limited the gains that could be achieved through that forum (Swimmer and Kinaschuk 1992; Swimmer 1995; Panitch and Swartz 1984). Specific government interventions, while reactive to the political imperatives of the day, reflected a long-run preference of governments to maintain control over employment matters. In marked contrast, the National Joint Council ended the 1990s with a greater degree of support from the parties than it had garnered during the 1960s and 1970s and a track record of steady advances.

Despite periods during which confidence in the Council ebbed, long-term support stemmed from the decline in the prospects offered by collective bargaining to achieve improvements for employees, the success of the reforms undertaken to renew the Council over the past two decades, and the realization that real gains had been achieved, and could be further built upon, in the future. While the labour relations "stock" of the National Joint Council had increased in value, it remained embedded in a labour relations framework in the public service that was experiencing increasing challenges.

In this context, at the turn of the new century, the federal government struck the Fryer Committee to examine public service labour-management relations and make recommendations. The Committee's key overarching recommendation regarding consultation was to make co-determination a significant dimension of a new labour-management relations framework on a par with the importance of collective bargaining:

> "We recommend that the Public Service Staff Relations Act be amended to provide for consultation and co-development of policies at the service-wide, departmental and workplace levels. The details of how these processes will be implemented should be left to the parties to develop." (Canada: Fryer Report 2001: Recommendation 3, p. 3).

The National Joint Council already addresses service-wide issues. The Fryer Report (2001) recommended that the parties determine how best to establish consultation and co-development of policies at the departmental and workplace levels, although extending the framework of the Council to these two levels would be one obvious approach. It would, coincidentally, fulfill the original Whitley Councils structure after which the National Joint Council had originally been modelled (Barnes 1974).

Despite not specifically recommending this extension of the National Joint Council to the departmental and workplace levels of labour-management relations, the Fryer Committee clearly envisaged the Council as a centrepiece of the consultation and co-determination dimension of the proposed labour relations framework. The main recommendations regarding the Council are outlined in Table 2. The recommendations are aimed at:

- strengthening the National Joint Council as an institution (Recommendation 25);
- extending the institutional responsibilities of the Council (see Recommendation 24 regarding the establishment of a Compensation Research Bureau);
- broadening the purview of the Council with regard to employment issues (see Recommendations 4 on staffing, 5 on classification, and 6 on the pension plan; and
- extending the dispute resolution apparatus of the Council to all co-development issues (Recommendation 7).

The future role of the Council will depend upon the extent to which the government adopts the recommendations presented to it in the Fryer Report. The expectation, therefore, is that the National Joint Council's future role in labour-management relations—indeed, the future of substantive consultation—will likely follow one of three scenarios that arise as a result of alternative degrees of implementation of the Fryer Committee recommendations.

Scenario One: Most of the key recommendations are implemented

This scenario requires that the key, more encompassing recommendation that "consultation and co-development of policies at the service-wide, departmental and workplace levels" be implemented. The effect would be to significantly enhance the functioning of the National Joint Council in every respect. The only outstanding issue would be whether the Council would be institutionally extended to become the vehicle by which consultation and co-determination were provided at the departmental and workplace levels. Under this scenario, the National Joint Council would be a fully empowered, bipartite council that would likely become the cornerstone of the future public service labour-management relations framework as envisaged by the Fryer Committee.

Scenario Two: Most of the recommendations are not accepted

In this case, the future success of the National Joint Council depends entirely upon the willingness and ability of the parties to support it. This outcome would be contrary to the vision of the Fryer Committee. It would not, however, likely set back the Council, as much as it would hold it back from achieving its full potential. The Council's track record of successes would provide it with momentum, but its future would be constrained.

Scenario Three: The scope of the National Joint Council in employment matters is extended and the institution is strengthened

Under this scenario, the key recommendation that "consultation and co-development of policies at the service-wide, departmental and workplace levels" is not fully implemented, but the scope of the National Joint Council in employment matters is extended and the institution is strengthened, perhaps through recognizing it as an independent body and increasing its funding. This is an intermediate path that seeks to strengthen the Council while not subscribing to the broader goal of providing co-determination and consultation throughout all levels of the public service. From the point of view of consultation and co-determination, the role of the Council would be greatly enhanced by the implementation of the recommendations dealing with the extension of the scope of employment issues and recognizing it as an independent body.

By the advent of collective bargaining in the public service, consultation took on several different forms that, taken together, spanned the spectrum of formality. They were essentially uncoordinated with respect to one another, and were undertaken without any particular formal connection to the work of the Council. In the past several decades, the National Joint Council has steadily consolidated its functions and built upon its track record of achieving substantive outcomes.

Given the likelihood that collective bargaining will not be unconstrained in the future, even under the scenario in which many of the Fryer Committee's recommendations regarding the Council are not adopted, the National Joint Council is likely to continue to grow in importance to the parties because it will, nonetheless, become a stronger complement to collective bargaining. In the more expansive scenario in which many of the recommendations regarding the Council are adopted, the National Joint Council will become commensurately more important. Thus the prospects for the Council—and hence substantive consultation and cooperation—are that it will become progressively more central to labour-management relations in the federal public service.

Table 2

Key Recommendations of the Fryer Committee Regarding the National Joint Council

4. We recommend that the staffing system be made subject to co-development by the parties at the National Joint Council. To ensure that the co-development process respects core public service values, the *Public Service Employment Act* should be amended to include a list of values such as merit, employment equity, fairness and transparency with which the process must be consistent.

5. We recommend that the classification system be made subject to co-development by the parties at the National Joint Council.

6. We recommend that the Pension Plan, its provisions, the funds and the investment of those funds be made subject to co-development by the parties at the National Joint Council and be co-managed by a jointly appointed Management Board.

7. We recommend that any disputes over co-development issues be resolved through the use of the National Joint Council's new dispute resolution process whether or not such disputes arise in the National Joint Council forum.

24. We recommend that the National Joint Council be the forum for the joint management of the newly established Compensation Research Bureau.

25. We recommend that the *Public Service Staff Relations Act* be amended to:

    - recognize the National Joint Council as an independent entity (operating parallel to the Canada Industrial Relations Board and the Public Service Rights Redress Board) reporting to the Parliament of Canada;

    - confirm its mandate and governance structure as expressed in the National Joint Council Constitution; and

    - fund the National Joint Council through a specific appropriation.

Source: Canada: Fryer Report (2001, 3–5).

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FIRE PREVENTION WEEK, OCTOBER 6–12, 2002

Julie Robillard
Communications, Labour Program
Human Resources Development Canada

FIRE PREVENTION CANADA
Working with the public and private sectors to achieve fire safety through education

PRÉVENTION DES INCENDIES DU CANADA
Travailler avec les secteurs privé et public afin de promouvoir la sécurité-incendie par l'éducation

Team Up for Fire Safety

Did you know?

On average, fire kills eight people each week and injures many more. Residential properties remain an area of utmost concern, accounting for 40 per cent of fires, 73 per cent of fire deaths, and 42 per cent of financial and property loss. It's imperative that fire protection officials and the public keep up a sustained effort to reduce the number of fires, loss of life and property damage. The young and elderly are the most vulnerable. In 1999, a total of 55,169 fires were reported, which accounted for 388 deaths, 2,287 injuries, and $1,231,936,723 in property losses (Annual Report: Council of Canadian Fire Marshals and Fire Commissioners).

Accidental fires in the workplace cause injury, death and loss of livelihood to thousands of Canadians. As well, workplace fires cost businesses millions of dollars in property losses, costs that are often not recoverable. In fact, 45 per cent of businesses never reopen following a fire. Such losses are avoidable by applying basic fire prevention controls and emergency preparation measures. Most accidental fires in the workplace are a result of employer or employee negligence or both.

Fire Prevention Week runs from October 6–12, 2002. The theme this year, *Team Up for Fire Safety*, focuses on teamwork and key safety lessons that everyone can learn. These are three major tips to remember:

- installing and testing smoke alarms;
- practicing home and workplace escape plans; and
- hunting for home and workplace hazards.

Every year, the Labour Program of Human Resources Development Canada and Fire Prevention Canada join forces for Fire Prevention Week. Raising fire safety awareness and decreasing the number of deaths, injuries and property losses caused by fire is the goal.

The history of the fire prevention movement has its roots in the Great Chicago Fire of October 9, 1871. This tragic blaze killed more than 250 people and destroyed more than 17,400 structures in less than 27 hours. The Great Chicago Fire, coupled with the blaze on Parliament Hill in February 1916, helped increase awareness of fire prevention in Canada and led to the first annual Fire Prevention Week in 1923.

The Labour Program encourages compliance with national and international fire prevention and fire protection standards for federal government departments, First Nations and certain Crown Corporations.

However, protecting all Canadians from the consequences of fire is a responsibility shared by all levels of government and by all Canadians.

Fire Prevention Week is an example of a successful partnership between different groups with common interests and goals. Teaching and practicing prevention is the first step in decreasing the dangers of fire. Educational and awareness programs are working; however, we still have a long way to go.

Let's Team Up for
Fire Safety!

SELECTION OF RECENT CHANGES IN CANADIAN LABOUR LAWS

Adopted Bills, Regulations and Other Statutory Instruments

Michel Gauvin and Charles Philippe Rochon
Strategic Policy and International Labour Affairs
Labour Program, Human Resources Development Canada

British Columbia: *Labour Relations Code Amendment Act, 2002;* Bill 42; Assented to May 30, 2002

This Act brought a number of changes to the *Labour Relations Code*, notably with respect to the administration of the *Code*, the right to communicate with employees and the power to make regulations.

Effective September 1, 2002, a change to the introductory provisions of the *Code* requires the Labour Relations Board and other persons having powers and duties under the *Code* to consider stated principles in their decisions. One of those principles, which is new, is fostering the employment of workers in economically viable businesses.

Effective July 30, 2002, the right to communicate provision was amended to provide that, subject to the Regulations, a person may express his/her views on any matter, including matters relating to an employer, a trade union or the representation of employees by a trade union, provided that the person does not use intimidation or coercion.

Another amendment that came into force on July 30, 2002 authorizes the Lieutenant-Governor in Council to make regulations respecting presentations by employers and trade unions related to votes under the *Code* or establishing and authorizing fees to be payable for any services provided by the Board or its staff.

British Columbia: *Employment Standards Amendment Act, 2002;* Bill 48; Assented to May 30, 2002

On November 14, 2001, the Government of British Columbia launched a review of the province's employment standards legislation. As a first step in the review process, the Ministry of Skills Development and Labour released a discussion paper, entitled *Fair and Effective: A Review of Employment Standards in British Columbia*. Public consultations were held in the following weeks.

The government's intention to amend the *Employment Standards Act* (ESA) and other labour statutes was confirmed in the February 12, 2002, Speech from the Throne. The government repeated its commitment to initiate changes in order "to provide greater flexibility, fairness and efficiency for employers and employees alike", in addition to reducing red tape and regulatory burden for businesses by one third. The *Employment Standards Amendment Act, 2002* (Bill 48) was introduced in the provincial legislature on May 13, 2002 and was passed two and a half weeks later, on May 30.

Following is an overview of the main changes that this Act has brought (or will bring) to the ESA. Note that not all of these provisions are yet in force; many—those described using the future tense—will come into effect by regulation.

Application of the ESA to Employees Covered by a Collective Agreement

- Employees covered by a collective agreement are now excluded from most provisions of the ESA. Where a collective agreement contains any provision concerning hours of work or overtime, employees covered by the agreement are excluded from all of the ESA's hours of work and overtime provisions. The same applies to provisions regarding statutory holidays, annual vacations and individual termination of employment, as well as to more specific provisions pertaining to wages, special clothing and records. Should a collective agreement contain no provision on one of the matters mentioned above, the relevant part or section(s) of the ESA is deemed to be incorporated in the agreement as part of its terms (except provisions regarding averaging agreements). The parts of the ESA regarding complaints, determinations, enforcement and appeals (parts 10, 11 and 13 of the ESA) do not apply to employees covered by a collective agreement in relation to the enforcement of certain provisions: those dealing with the employment of children, the prohibition to charge for hiring or providing information to prospective employees, the payment of the minimum wage, deductions, leaves and jury duty, group terminations, and rules about notice of termination and payments on termination. Instead, disputes arising with respect to the application of any of the provisions mentioned above (including provisions of the ESA deemed to be part of a collective agreement) must be resolved using the collective agreement's grievance procedure. Nevertheless, an arbitration board may refer a decision to the Director of Employment Standards for the purpose of collecting unpaid wages.

- In addition, changes made to Section 4 of the ESA allow parties to a collective agreement to waive the minimum requirements of the ESA in matters related to hours of work and overtime, statutory holidays, annual vacations, individual termination of employment and most provisions regarding wages, special clothing and records. In other words, certain provisions in a collective agreement can provide inferior benefits and/or protection to employees than what would otherwise be required by the ESA. (Previously, the requirements of some parts of the *Employment Standards Act*—i.e., hours of work and overtime, statutory holidays, annual vacations and individual termination of employment—could be replaced by similar provisions in a collective agreement if, when considered together, these provisions met or exceeded the legislated requirements.)

Hours of Work and Overtime

- Minimum daily pay was reduced from four hours to two hours at the employee's regular wage, except where an employee was scheduled to work more than eight hours on that day. Separate provisions that previously applied to school students were eliminated.

- The overtime rate will be lowered, from two times to 1½ times regular wages, in certain circumstances. Employees will only be entitled to the double wage rate for work in excess of 12 hours in a day, compared to the current 11 hour threshold. The double time rate for overtime in excess of 48 hours in a week will be eliminated. Moreover, an employee who works during a weekly period that should be free from work under the ESA (employees are normally entitled to 32 consecutive hours free from work each week) will be entitled to 1½ times regular wage, instead of the double time rate that currently applies.

- Individual employees and their employer will be allowed to sign a written averaging agreement whereby hours of work may be averaged over a period of one to four weeks (this will replace current "flexible work schedule" provisions). Such an agreement will have to specify the work schedule for each day it covers as well as the start date and expiry date for the period over which it applies. Overtime will be payable for time worked in excess of the hours scheduled for a day (or over eight hours, if fewer than eight hours were scheduled on that day) or beyond a 40-hour weekly average. Any time worked in excess of 12 hours in a day will still be payable at two times an employee's regular wage. It will be possible to schedule the required 32-hour weekly period free from work at any time in the period covered by an averaging agreement. For example, these periods could be postponed and taken consecutively in the last week of an averaging agreement.

- Employers and employees are now allowed to apply for a variance from the ESA regarding split shift provisions. Once the relevant sections of the new *Act* are in force, it will also be possible to request a variance to extend the number of weeks covered by an averaging agreement.

- Previous hours-of-work notice provisions were repealed. Employers are no longer required to display hours-of-work notices in each workplace, nor to give employees 24 hours' notice of shift changes.

- Amendments clarified that an employer who requires an employee to work during a meal break must count the meal break as time worked.

Statutory Holidays

- New eligibility requirements for entitlement to a statutory holiday with pay will be added. In addition to the other applicable requirements, an employee will have to work or earn wages for at least 15 of the 30 calendar days preceding the statutory holiday to qualify, unless he/she worked under an averaging agreement any time during that period.

- A new formula for calculating statutory holiday pay will be established. Statutory holiday pay will be equal to the amount paid or payable to the employee (wages and vacation pay, but not overtime pay) in the 30 calendar day period preceding the statutory holiday, divided by the number of days on which the employee earned wages (i.e. days worked or days of vacation) in that period.

- The requirement to schedule another day off with pay for employees who work on a statutory holiday will be removed. Instead, an employer will have to pay 1½ times the employee's regular wages for all time worked up to 12 hours in the day, two times regular wages for all time worked thereafter (compared to the current 11 hour threshold), plus statutory holiday pay.

Wage Recovery

- The period for which the Director of Employment Standards may hold an employer liable for wages under a determination was reduced from 24 months to 6 months.

- Personal liability for a director or officer of a bankrupt or insolvent corporation with respect to employees' wages was removed.

- Farm producers are no longer liable for the wages of employees of a licensed farm labour contractor, if they paid the labour contractor for wages earned by each worker who performed work for them.

Employment of Children

- Current provisions regarding the employment of children will be repealed (these require a permit from the Director of Employment Standards to employ a child younger than 15). A new provision will state that a person may not employ a child under 15 years of age unless conditions established by regulation are met. The government will have the authority to make regulations delegating authority to the Director to impose conditions of employment, on the basis of prescribed criteria, for children under 15 years of age, and prohibiting the employment of children under 12 years of age, except in prescribed industries.

Maternity and Parental Leave

- Amendments clarified that employees' entitlement to maternity and parental leave is in *consecutive* weeks and that leave for adoptive parents is unpaid, and specified that a birth father who intends to take parental leave must give at least four weeks' notice to his employer.

Termination of Employment

- Notice of termination is of no effect if it coincides with a period during which the employee is on temporary layoff. Previously, this provision only applied if an employee was on leave or unavailable for work due to a strike, lockout or medical reasons.

- The ESA now specifies that, in the case of a person whose employment is terminated following a temporary layoff, the six-month time limit to file a complaint is counted from the last day of the temporary layoff.

Complaints and Enforcement of the ESA

- The Director of Employment Standards is now authorized to refuse to deal with a complaint if the employee concerned has not taken the requisite steps to facilitate resolution or investigation of the complaint (based on a new "self-help" kit) or if the dispute that caused the complaint may be dealt with under a collective agreement's grievance procedure.

- The procedure that applies where a person fails to comply with the terms of a settlement related to a complaint was modified. Previously, a failure to comply voided the settlement, after which the Director of Employment Standards could make a determination and require payment of the required amount. Under the new provisions, a "settlement agreement" remains in effect in such a circumstance. Instead of making a new determination, the Director of Employment Standards can file the settlement agreement in the Supreme Court registry to make it enforceable.

- The Director of Employment Standards now has more remedies at his/her disposal when making a determination. Besides other measures that were previously available, the Director can require a person who has committed an infraction to post notices respecting a determination or information about the ESA and its regulations; to employ, at his/her expense, a payroll service for the payment of wages to an employee; and to pay any costs incurred with respect to inspections related to the investigation of a contravention. The Director is also authorized to make any imposed requirement subject to any terms and conditions he/she considers appropriate.

- The Director of Employment Standards is no longer required to give written reasons for a determination, unless the person named in the determination makes a written request to obtain them, within a specified time period.

- Amendments provide for the imposition of mandatory monetary penalties, as prescribed by regulation, and specify that the amount of a penalty is in addition to any requirement imposed in a determination. This has removed the Director of Employment Standards' discretionary power to determine whether or not to impose a penalty. Penalties have been increased to $500 for a first offence, $2,500 for a second offence, and $10,000 for a third offence (previously, penalties ranged from $0 to $500).

- The powers of the Employment Standards Tribunal were modified to remove its authority to make recommendations to the government about the exclusion of classes of persons from all or part of the ESA or regulations made under the *Act*.

- Provisions regarding appeals of determinations to the Employment Standards Tribunal will be modified. Grounds for appeals will be restricted to cases where the Director of Employment Standards erred in law or failed to observe the principles of natural justice in making the determination, or where new evidence has become available. A person who wishes to appeal a determination will have to deliver a written request to the Tribunal, with a copy to the Director of Employment Standards, specifying the grounds on which the appeal is based. Payment of an appeal fee, prescribed by regulation, will also be required. The period in which an appeal may be requested will be extended from 15 days to 30 days after the date of service of the determination if the person was served by registered mail, and from 8 days to 21 days if the person was personally served or he/she requested to receive the determination by fax or electronically. The Tribunal will have the power to dismiss an appeal without a hearing where one of the above requirements is not met. In addition, a new provision will expressly require that the Director of Employment Standards provide the Tribunal with the record that was before him/her at the time of the determination, including any witness statement or document that he/she considered.

Miscellaneous (Records and Statements)

- The general requirement that employers display in each workplace a statement of employees' rights under the *Employment Standards Act* was eliminated.

- The period during which employers are required to keep records was reduced from five years to two years.

- Employers are now allowed to provide wage statements electronically if employees are provided, through the workplace, confidential access to the electronic wage statement and a means of making a paper copy.

As previously noted, a number of these amendments will come into force on a date or dates to be set by the Government of British Columbia.

Newfoundland and Labrador: *Proclamation of the Act to Amend the Labour Standards Act* (Bill 54); Newfoundland and Labrador Regulation 49/02; Gazetted June 28, 2002

Newfoundland and Labrador's *Act to Amend the Labour Standards Act* came into force by proclamation on July 1, 2002. (A summary of this Act was published in the spring 2002 issue of the *Workplace Gazette.*)

Nova Scotia: *Minimum Wage Orders*: *General, Road Building and Heavy Construction Industry, and Logging and Forest Operations;* Nova Scotia Reg. 78/2002 under the *Labour Standards Code;* Gazetted June 28, 2002

On October 1, 2002, the general minimum wage rate in Nova Scotia will rise 20 cents to $6.00 an hour. The minimum wage rate for inexperienced employees will also increase by 20 cents, to $5.55 an hour. (Inexperienced employees are employees who have not been employed for more than three months by any employer to do the work for which they are currently employed, and who have been employed by their current employer for less than three calendar months.)

The minimum wage rate for employees engaged in road building and heavy construction and for "time workers" employed in a logging or forest operation will increase as well to $6.00 an hour. Other workers employed in a logging or forest operation who have no fixed work week or whose hours of work are unverifiable (e.g. camp guardians, cooks, stable hands) will be entitled to at least $1,175.00 per month, compared to $1,135.00 currently.

Maximum deductions for board and lodging will also be raised on the same date. An employer providing board and lodging will be authorized to deduct up to $55.15 per week from the minimum wage of an employee (an increase of $2.00). Maximum deductions for board only will be $44.65 per week (+$1.60); for lodging only, $12.40 per week (+$0.45); and for single meals, $2.85 (+$0.10). An employer in a logging or forest operation will be allowed to deduct from an employee's minimum wage an amount of up to $8.65 per day (+$0.60) for board and lodging.

Prince Edward Island: *Minimum Wage Order Amendment;* Gazetted May 4, 2002

The Government of Prince Edward Island approved an Order of the province's Employment Standards Board to increase the hourly minimum wage. The minimum wage rate will increase from the current $6.00 per hour to $6.25 per hour on January 1, 2003, $6.50 on January 1, 2004, and $6.80 on January 1, 2005. The *Minimum Wage Order Amendment* will come into effect on January 1, 2003.

Saskatchewan: *Labour Standards Amendment Act, 2002;* Bill 70; Assented to July 10, 2002

This Act, which came into effect on September 1, 2002, has extended coverage under the *Labour Standards Act* to workers employed in commercial hog operations. They were previously excluded from the *Act*'s application, as are still most employees working primarily in farming, ranching or market gardening (with the exception of those employed in egg hatcheries, greenhouses and nurseries, and bush clearing operations).

Saskatchewan: *Labour Standards Amendment Regulations, 2002 under the Labour Standards Act;* Saskatchewan Regulations 68/2002; Gazetted July 19, 2002

This Regulation followed passage of the *Labour Standards Amendment Act, 2002* and took effect on the same date (September 1, 2002). It defines a "commercial hog operation" as an undertaking engaged in the breeding, farrowing, weaning or finishing of porcine animals in which six or more full-time equivalent employees are employed.

In addition, the Regulation contains distinct hours of work and public holiday provisions for employees of commercial hog operations. In their case, overtime wages are payable after 10 hours of work in a day or 80 hours over a two-week period. For the purpose of calculating overtime, each public holiday occurring during a two-week period is counted as eight hours of work, whether or not the employee worked on that date and regardless of the number of hours worked.

The *Labour Standards Act*'s public holiday pay provisions apply to employees of commercial hog operations. However, those who work on a public holiday that falls on a regular day of work also have the option, if they personally request in writing, to be paid regular wages and receive another day off with pay. The employer must grant this day off within one year of the public holiday.

Yukon: *Act to Amend the Employment Standards Act;* Bill 62; Assented to May 30, 2002

This Act will amend the *Employment Standards Act* to ensure that all employees in Yukon, regardless of their age, are covered by the territorial minimum wage. (Currently, the territorial minimum wage only applies to employees who are at least 17 years of age.) All references to age with respect to minimum wage provisions will be removed. For instance, the Employment Standards Board will no longer have the power to prescribe a separate minimum wage with respect to the employment of persons under the age of 17. This Act will come into effect on November 1, 2002.

For additional information on recently adopted or proposed changes to Canadian Labour Laws, please visit the Labour Program Web site at:

http://labour-travail.hrdc-drhc.gc.ca

and click on "Canadian Labour Law Information."

READERS' CORNER

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Mentoring

Clutterbuck, David and Bell Rose Ragins, eds. **Mentoring and Diversity: An International Perspective.** Oxford: Butterworth-Heinemann, 2002.
HRDC HF5385 M47

Based on the view that mentoring is a key element in the effective management of diversity in organizations, this publication presents innovative and practical perspectives on diversity and mentoring relationships in various international contexts. It demonstrates how mentoring can be used as a tool in equal employment opportunity initiatives and in recruiting, developing and retaining a diverse workforce.

The book links applied practice and academic research in three sections: an overview of the theory and research on diversified mentoring, followed by an applied model; observations of best practices used in a variety of diversified mentoring programs; and case studies on diversity in both mentoring programs and individual mentoring relationships.

Cohen, Norman H. **Guide to Mentee Planning.** Amherst, Mass.: HRD Press, 2001.
HRDC HF5385 C635

This guide provides nine forms for mentees to organize and record their plans for learning during their mentoring program. Detailed guidance for filling out each form is included. A special section discusses networking as a learning opportunity for mentees. An accompanying diskette contains a copy of each form.

Cohen, Norman H. **The Manager's Pocket Guide to Effective Mentoring.** Amherst, Mass.: HRD Press, 1999. HRDC HF5385 C63

This practical guide provides comprehensive quick reference to mentoring concepts and techniques. Mentors will find the pragmatic guidance useful in assisting mentees to participate in constructive dialogue during the mentoring experience, set attainable career and personal goals, analyze problems and formulate realistic solutions. The book reflects an expanded view of the behavioural expertise required of mentors in today's more complex work environment.

Cohen, Norman H. **A Step-by-Step Guide to Starting an Effective Mentoring Program.**
Amherst, Mass.: HRD Press, 2000.
HRDC HF5385 C632

This manual offers guidance to coordinators responsible for starting and operating a mentoring program. Based on the premise that coordinators possess knowledge of the concept of mentoring, it details the four major steps required to create and manage a successful mentoring program: understanding the coordinator's responsibilities; identifying participants; conducting the matching process; and orientation and training. This application model will allow users to identify the resources and practical expertise required to create meaningful learning opportunities.

Fondation de l'entrepreneurship. **Guide for the Mentored Entrepreneurs.** Charlesbourg, Québec: Fondation de l'entrepreneurship, 2001.
HRDC HF5385 G85

This guide is addressed to entrepreneurs requiring a tool for support in their mentoring process. It provides definitions of concepts and roles relating to the mentor and mentee, and discusses preparation for matching, self-assessment tools, mentoring activities, and follow-up and assessment of the mentoring relationship.

Fondation de l'entrepreneurship. **Guide for the Mentors.** Charlesbourg, Québec: Fondation de l'entrepreneurship, 2001.
HRDC HF5385 G84

This text is addressed to experienced business persons who wish to share their experience through a mentoring program. It explains all aspects of the mentoring process, emphasizing those factors which contribute to a winning mentor–mentee relationship.

Klasen, Nadine and David Clutterbuck. **Implementing Mentoring Schemes: A Practical Guide to Successful Programs.** Boston: Butterworth-Heinemann, 2002.
HRDC HF5385 K52

Over the past three decades, mentoring has evolved from an informal, ad hoc process to a structured framework formally supported by the organization. This work offers a thorough discussion of what mentoring is and provides practical advice on how to design, implement and evaluate mentoring schemes. Based on academic research and extensive practical experience, it provides a range of best practice mentoring approaches in international settings. Detailed checklists to assist in implementation are included.

Shea, Gordon F. **Mentoring: How to Develop Successful Mentoring Behaviors.** 3rd edition.
Menlo Park, Calif.: Crisp Learning, 2002.
HRDC HF5385 S544 2002

This workbook deals with the practical aspects of mentoring, using exercises, checklists and concise summaries to enable the reader to assess his or her own experiences as mentor or mentee. Chapters focus on clarifying both parties' needs and responsibilities, seven types of mentor assistance, behaviours to avoid, developing a mentor–mentee partnership, and handling unique situations such as cross-cultural and gender issues. This tool can be used for individual study or as a basis for group training.

NOTES

1. *For other available references in French language only, see the French version of the Workplace Gazette / Gazette du travail.*
2. *Human Resources Development Canada employees can borrow these items from the Departmental Library. Others can borrow them through their own library.*

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YESTERDAY AND TODAY

Union Membership

Suzanne Payette
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Fifty Years Ago...

The year 1952 reported year over year gain in union membership in general and in the proportion of workers who belonged to labour organizations. Slightly more than 30 per cent of non-agricultural paid workers were members of labour organizations, in contrast to the less than the 10 per cent figure for 1911; the year of the first published survey of the department.

In 1952, almost half of Canadian union members were employed in the manufacturing industries and almost another quarter were employed in transportation, storage and communication. About 40 per cent of workers in manufacturing were union members while in transportation, close to two thirds of the workers belonged to unions.

Unions active in Canada included 108 international and 62 national and regional unions. The international unions represented 7 out of every 10 Canadian unionists compared to 2 out of every 10 who belonged to national or regional organizations. More than one half of the Canadian membership belonged to 19 unions.

Today...

While there has been an increase in union membership by 63,550 over the previous year, non-agricultural paid employment grew by 268,000. Consequently, the unionization rate continued its marginal decline from 31.3 to 31.1 per cent. Union density has continued to drop marginally since its peak of 36.1 per cent in 1994. Union membership is higher in 2002 at 4,174,000 members compared to 4,078,000 members at the 1994 peak.

Unions are highly concentrated in public sector organizations and the two largest unions, Canadian Union of Public Employees and the National Union of Public and General Employees account for 846,600 members. Large unions have been created as the result of mergers of different types of workers such as the Communications, Energy and Paperworkers Union of Canada and these unions now include a wide variety of workers. Unions such as the Canadian Auto Workers and the United Steelworkers have diversified their membership from their industry base and now represent a large number of workers outside of their traditional and historical industry sector.

Unions active in Canada in 2002 now include 46 international unions and 267 national unions. International union membership now represents only 3 out of every 10 Canadian unionists compared to 7 out of 10 who belong to national unions. More than half of current members make up the ten largest unions.

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Wage Settlements Bulletin

A monthly publication providing the most up-to-date information and analysis of major wage developments in collective bargaining in Canada. The Bulletin is a valuable and recognized reference source providing statistical and analytical information illustrated with useful charts and tables on recent wage developments. The aggregate data and details are published in the following groupings: public and private sectors, regions and jurisdictions, and major industry groups. Annual subscription: Canada, $200 plus 7% GST ($214); other countries, U.S. $200. (Available by e-mail, mail or fax).

Workplace Gazette

A quarterly publication providing data on wage adjustments from major collective bargaining settlements in Canada by public and private sectors, by region, by jurisdiction and by major industry; detailed analysis of selected provisions in major agreements; a chronological perspective on work stoppages; and, information on innovative workplace practices resulting from collective bargaining. It also features articles and case studies on pertinent industrial relations matters. Annual subscription: Canada, $125 plus 7% GST ($133.75); other countries, U.S. $125. (Available by mail only).

Collective Bargaining Bulletin

A monthly publication containing timely information based on recently signed major collective agreements in Canada. The publication focuses on summaries of changes to wages and benefits in selected settlements, the status of key negotiations as well as data on work stoppages. Also included is a list containing major settlement reports currently available on the Negotech database. Annual subscription: Canada, $50 plus 7% GST ($53.50); other countries, U.S. $50. (Available by e-mail and mail).

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